

# JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

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SEVENTIETH DAY, THURSDAY, MAY 13, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Msgr. Donald W. Lammers.

"Dew and rain, bless the Lord;  
Praise and exalt him above all forever."  
*(Daniel 3:68)*

Lord God, we pray for those who are suffering from too much rain, from floodwaters and from tornados. And we pray for those working to stop the oil spill off the Gulf Coast; give them the strength and knowledge they need to get control of this disaster. War is a disaster, every war. Turn hearts that hate toward understanding. Guide leaders of nations to remove every injustice and evil that lead to war. Protect our armed forces and all whose lives are threatened by war and violence.

We thank You for the stability and peace in our lives. We pray for the grace to serve well the people of our State until the very end of this legislative Session.

We pray to You, Almighty God, living and reigning forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Danielle Cardwell, Madison Craighead, Kennan Huckleberry, Joseph Ferrell, McKenna Rackers, Kallie Schumann, Connor Ernst, Maddison Markland, Cole Hazelhorst, Jacob Eickhorst, Olivia Johanns, Rebecca Johanns, Damon Johanns, Benjamin Lee Van Amburg, Corey Boothby and Patty Goss.

The Journal of the sixty-ninth day was approved as printed.

## **SPECIAL RECOGNITION**

Msgr. Donald W. Lammers was presented a resolution by Representatives Deeken and Bruns and recognized for his years of service as Chaplain to the Missouri House of Representatives.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3354 through House Resolution No. 3370

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 2290**, entitled:

An act to repeal section 208.010, RSMo, and to enact in lieu thereof two new sections relating to public assistance benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 583, as amended**, and has taken up and passed **HCS SCS SB 583, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the **CCR on HCS for SCS for SB 754, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 808, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon and that the conferees be allowed to exceed the differences on **HA 4, as amended**.

### BILL CARRYING REQUEST MESSAGE

**HCS SB 741, as amended**, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SB 741, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Pro Tem Pratt assumed the Chair.

### HOUSE BILL WITH SENATE AMENDMENTS

**SS#2 SCS HCS#2 HB 1543, as amended**, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Wallace moved that the House refuse to adopt **SS#2 SCS HCS#2 HB 1543, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**HCS SS SB 1007**, relating to public assistance programs, was taken up by Representative Cooper.

Representative Sater offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 1007, Section 208.895, Pages 37-38, Lines 25-44, by deleting all of said lines and insert in lieu thereof the following:

**“2. The department of health and senior services may contract for initial home and community based assessments, including a care plan, through an independent third-party assessor. The contract shall include a requirement that:**

**(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and**

**(2) The contractor notify the referring entity within five days of receipt of referral if additional information is needed to process the referral.**

The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract.

**3. The two nurse visits authorized by section 660.300.16, RSMo shall continue to be performed by home and community based providers for including, but not limited to, reassessment and level of care recommendations. These reassessments and care plan changes shall be reviewed and approved by the independent third party assessor. In the event of dispute over the level of care required, the third party assessor will conduct a face to face review with the client in question.**

**4. The provisions of this section shall expire three years after the effective date of this section.”; and**

Further amend said bill, Section 208.909, Page 40, Line 74, by inserting after all of said line the following:

**“6. In the event that a consensus between centers for independent living and representatives from the executive branch cannot be reached, the telephony report issued to the General Assembly and governor shall include a minority report which will detail those elements of substantial dissent from the main report.**

**7. No interested party, including a center for independent living, shall be required to contract with any particular vendor or provider of telephony services nor bear the full cost of the pilot program.”; and**

Further amend said bill, Section 660.023, Pages 40-41, Lines 1 and 4, by deleting the year “2012” and insert in lieu thereof the year “2015”; and

Further amend said bill and section, Page 41, Line 29, by inserting after all of said line the following:

**“5. The department of health and senior services, in collaboration with other appropriate agencies, including in-home services providers, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section and section 208.918. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.**

**6. In the event that a consensus between in-home service providers and representatives from the executive branch cannot be reached, the telephony report issued to the General Assembly and governor shall include a minority report which will detail those elements of substantial dissent from the main report.**

**7. No interested party, including in-home service providers, shall be required to contract with any particular vendor or provider of telephony services nor bear the full cost of the pilot program.”; and**

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Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Riddle	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 072

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Nasheed	Newman	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Spreng	Still	Storch
Swinger	Talboy	Todd	Vogt	Walsh
Walton Gray	Webb	Webber	Whitehead	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 003

Carter	Flanigan	Meadows
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VACANCIES: 001

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 1007, Page 660.300, Page 45, Line 117, by inserting after all of said section and line the following:

“660.425. 1. In addition to all other fees and taxes required or paid, a tax is hereby imposed upon in-home services providers for the privilege of providing in-home services [under chapter 208, RSMo]. The tax is imposed upon payments received by an in-home services provider for the provision of in-home services [under chapter 208, RSMo].

2. For purposes of sections 660.425 to 660.465, the following terms shall mean:

(1) "Engaging in the business of providing in-home services", all payments received by an in-home services provider for the provision of in-home services [under chapter 208, RSMo];

(2) "In-home services", homemaker services, personal care services, chore services, respite services, consumer-directed services, and services, when provided in the individual's home and under a plan of care created by a physician, necessary to keep children out of hospitals. "In-home services" shall not include home health services as defined by federal and state law;

(3) "In-home services provider", any provider or vendor, as defined in section 208.900, RSMo, of compensated in-home services [under chapter 208, RSMo], and under a provider agreement or contracted with the department of social services or the department of health and senior services.

660.430. 1. Each in-home services provider in this state providing in-home services [under chapter 208, RSMo,] shall, in addition to all other fees and taxes now required or paid, pay an in-home services gross receipts tax, not to exceed six and one-half percent of gross receipts, for the privilege of engaging in the business of providing in-home services in this state.

2. Each in-home services provider's tax shall be based on a formula set forth in rules promulgated by the department of social services. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo.

This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. The director of the department of social services or the director's designee may prescribe the form and contents of any forms or other documents required by sections 660.425 to 660.465.

4. Notwithstanding any other provision of law to the contrary, appeals regarding the promulgation of rules under this section shall be made to the circuit court of Cole County. The circuit court of Cole County shall hear the matter as the court of original jurisdiction.

660.435. 1. For purposes of assessing the tax under sections 660.425 to 660.465, the department of health and senior services shall make available to the department of social services a list of all providers and vendors under this section.

2. Each in-home services provider subject to sections 660.425 to 660.465 shall keep such records as may be necessary to determine the total payments received for the provision of in-home services [under chapter 208, RSMo,] by the in-home services provider. Every in-home services provider shall submit to the department of social services a statement that accurately reflects such information as is necessary to determine such in-home services provider's tax due.

3. The director of the department of social services may prescribe the form and contents of any forms or other documents required by this section.

4. Each in-home services provider shall report the total payments received for the provision of in-home services [under chapter 208, RSMo,] to the department of social services.

660.445. 1. The determination of the amount of tax due shall be the total amount of payments reported to the department multiplied by the tax rate established by rule by the department of social services.

2. The department of social services shall notify each in-home services provider of the amount of tax due. Such amount may be paid in increments over the balance of the assessment period.

3. The department of social services may adjust the tax due quarterly on a prospective basis. The department of social services may adjust the tax due more frequently for individual providers if there is a substantial and statistically

significant change in the in-home services provided or in the payments received for such services provided [under chapter 208, RSMo]. The department of social services may define such adjustment criteria by rule.

660.455. 1. The in-home services tax owed or, if an offset has been made, the balance after such offset, if any, shall be remitted by the in-home services provider to the department of social services. The remittance shall be made payable to the director of the department of social services and shall be deposited in the state treasury to the credit of the "In-home Services Gross Receipts Tax Fund" which is hereby created to provide payments for in-home services provided [under chapter 208, RSMo]. All investment earnings of the fund shall be credited to the fund.

2. An offset authorized by section 660.450 or a payment to the in-home services gross receipts tax fund shall be accepted as payment of the obligation set forth in section 660.425.

3. The state treasurer shall maintain records showing the amount of money in the in-home services gross receipts tax fund at any time and the amount of investment earnings on such amount.

4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any unexpended balance in the in-home services gross receipts tax fund at the end of the biennium shall not revert to the credit of the general revenue fund.

660.460. 1. The department of social services shall notify each in-home services provider with a tax due of more than ninety days of the amount of such balance. If any in-home services provider fails to pay its in-home services tax within thirty days of such notice, the in-home services tax shall be delinquent.

2. If any tax imposed under sections 660.425 to 660.465 is unpaid and delinquent, the department of social services may proceed to enforce the state's lien against the property of the in-home services provider and compel the payment of such assessment in the circuit court having jurisdiction in the county where the in-home services provider is located. In addition, the department of social services may cancel or refuse to issue, extend, or reinstate a Medicaid provider agreement to any in-home services provider that fails to pay the tax imposed by section 660.425.

3. Failure to pay the tax imposed under section 660.425 shall be grounds for failure to renew a provider agreement for services [under chapter 208, RSMo,] or failure to renew a provider contract. The department of social services may revoke the provider agreement of any in-home services provider that fails to pay such tax, or notify the department of health and senior services to revoke the provider contract.

660.465. 1. The in-home services tax required by sections 660.425 to 660.465 shall expire:

(1) Ninety days after any one or more of the following conditions are met:

(a) The aggregate in-home services fee as appropriated by the general assembly paid to in-home services providers for in-home services provided [under chapter 208, RSMo,] is less than the fiscal year 2010 in-home services fees reimbursement amount; or

(b) The formula used to calculate the reimbursement as appropriated by the general assembly for in-home services provided is changed resulting in lower reimbursement to in-home services providers in the aggregate than provided in fiscal year 2010; or

(2) September 1, [2011] **2012**.

The director of the department of social services shall notify the revisor of statutes of the expiration date as provided in this subsection.

2. Sections 660.425 to 660.465 shall expire on September 1, [2011] **2012**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 1007, Section 208.027, Page 20, Line 37, by inserting after all of said section and line the following:

**“208.046. 1. The children's division shall promulgate rules to become effective no later than July 1, 2011, to modify the income eligibility criteria for any person receiving state-funded child care assistance under this chapter, either through vouchers or direct reimbursement to child care providers, as follows:**

**(1) Child care recipients eligible under this chapter and the criteria set forth in 13 CSR 35-32.010, may pay a fee based on adjusted gross income and family size unit based on a child care sliding fee scale established by the children's division, which shall be subject to appropriations. However, a person receiving state-funded child care assistance under this chapter and whose income surpasses the annual appropriation level may continue to receive reduced subsidy benefits on a scale established by the children's division, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the children's division and shall be no longer eligible for child care subsidy benefits;**

**(2) The sliding scale fee may be waived for children with special needs as established by the division; and**

**(3) The maximum payment by the division shall be the applicable rate minus the applicable fee.**

**2. For purposes of this section, "annual appropriation level" shall mean the maximum income level to be eligible for a full child care benefit as determined through the annual appropriations process.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

Representative Dougherty offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 1007, Section 148.380, Page 12, Line 45, by inserting after all of said line the following:

**“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.**

**2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:**

**(1) Insurance;**

**(2) The state Medicaid program;**

**(3) Complimentary; or**

**(4) Other form of payment.**

**3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free**

or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

7. [Pursuant to section 23.253, RSMo, of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on June 30, 2020.**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 4** was adopted.

Representative Burlison offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 1007, Page 13, Section 172.850, Line 7, by inserting after all of said line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

**2. For purposes of this chapter, a written request may include an electronic communication, to the extent that the provider chooses to and is prepared to respond to an electronic communication requesting the patient's health history and treatment record. Any request or release of such records shall comply with applicable privacy and security provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its regulations and applicable state law and regulations.**

3. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

- (1) Copying, in an amount not more than seventeen dollars and five cents plus forty cents per page for the cost of supplies and labor;
- (2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet web site by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 5** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Parson
Pratt	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wright	Zerr
Mr Speaker				

NOES: 070

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Newman	Norr	Oxford

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Pace	Quinn	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Schupp	Shively
Skaggs	Spreng	Still	Storch	Swinger
Talboy	Todd	Walsh	Walton Gray	Webb
Webber	Whitehead	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Carter	Flanigan	Meadows	Parkinson	Pollock
Vogt				

VACANCIES: 001

On motion of Representative Cooper, **HCS SS SB 1007, as amended**, was adopted.

On motion of Representative Cooper, **HCS SS SB 1007, as amended**, was read the third time and passed by the following vote:

AYES: 124

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Colona	Conway
Cooper	Corcoran	Cox	Curls	Davis
Day	Deeken	Denison	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Faith	Fallert	Fischer 107	Fisher 125
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hummel	Icet	Jones 89
Jones 117	Keeney	Kelly	Kingery	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeBlanc	Liese
Lipke	Loehner	McClanahan	McDonald	McGhee
McNary	Meiners	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Parkinson	Parson
Quinn	Riddle	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Wasson
Webber	Wells	Weter	Wilson 119	Wilson 130
Witte	Yaeger	Zerr	Mr Speaker	

NOES: 027

Atkins	Burnett	Casey	Ervin	Flook
Frame	Harris	Hughes	Jones 63	Kander
LeVota	Low	McNeil	Morris	Newman

Norr	Oxford	Pace	Roorda	Schupp
Skaggs	Spreng	Walton Gray	Webb	Whitehead
Wright	Zimmerman			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 010

Carter	Chappelle-Nadal	Cunningham	Dethrow	Flanigan
Kirkton	Meadows	Pollock	Pratt	Vogt

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 149	Bruns
Burlison	Calloway	Chappelle-Nadal	Colona	Conway
Cooper	Corcoran	Cox	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Faith	Fallert
Fischer 107	Fisher 125	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeBlanc
Liese	Lipke	Loehner	McClanahan	McDonald
McGhee	McNary	McNeil	Meiners	Molendorp
Munzlinger	Nance	Nieves	Nolte	Norr
Oxford	Parson	Pratt	Quinn	Riddle
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Wasson	Webber	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 017

Burnett	Casey	Ervin	Flook	Hughes
Jones 63	LeVota	Low	Morris	Newman
Pace	Roorda	Schad	Skaggs	Spreng
Walton Gray	Whitehead			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 010

Brown 30	Brown 50	Carter	Flanigan	Meadows
Nasheed	Parkinson	Pollock	Vogt	Webb

VACANCIES: 001

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HCS#2 HB 1543, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 741, as amended**: Senators Griesheimer, Dempsey, Pearce, Shoemyer and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 777, as amended**, and has taken up and passed **HCS SCS SB 777, as amended**.

### THIRD READING OF SENATE BILL

**HCS SS SCS SBs 586 & 617, with Part II, Part III and Part IV, pending**, relating to sexually oriented businesses, was taken up by Representative Emery.

Representative Dougherty offered **House Amendment No. 1 to Part II**.

Representative Stevenson raised a point of order that **House Amendment No. 1 to Part II** was not timely distributed.

The Chair ruled the point of order well taken.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Emery
Faith	Fisher 125	Flook	Franz	Funderburk
Gatschenberger	Grisamore	Guernsey	Guest	Hobbs

Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Swinger	Thomson	Tilley	Tracy	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wright	Zerr	Mr Speaker

NOES: 069

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Corcoran	Curls	Dougherty
Englund	Fallert	Fischer 107	Frame	Grill
Harris	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Nasheed	Newman	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Spreng	Still	Storch
Talboy	Todd	Vogt	Walsh	Walton Gray
Webb	Webber	Whitehead	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 008

Denison	Dusenberg	Ervin	Flanigan	Jones 63
Meadows	Schaaf	Yaeger		

VACANCIES: 001

On motion of Representative Emery, **Part II of HCS SS SCS SBs 586 & 617** was adopted by the following vote:

AYES: 121

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Casey	Conway	Cooper
Corcoran	Cox	Cunningham	Davis	Day
Deeken	Dethrow	Dixon	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Harris	Hobbs	Hodges	Holsman	Hoskins 121
Hummel	Icet	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Lipke	McClanahan	McGhee	McNary	McNeil

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Molendorp	Munzlinger	Nance	Nieves	Nolte
Norr	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Viebrock	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Zerr	Zimmerman
Mr Speaker				

NOES: 030

Atkins	Burnett	Calloway	Carter	Chappelle-Nadal
Colona	Curls	Dieckhaus	Dougherty	Guest
Hoskins 80	Hughes	LeBlanc	Low	McDonald
Meiners	Morris	Nasheed	Newman	Oxford
Pace	Schupp	Spreng	Talboy	Vogt
Wallace	Walton Gray	Webb	Webber	Whitehead

PRESENT: 000

ABSENT WITH LEAVE: 011

Denison	Diehl	Flanigan	Jones 63	Loehner
Meadows	Salva	Schaaf	Skaggs	Wright
Yaeger				

VACANCIES: 001

Speaker Richard resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Icet	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	Loehner
McGhee	McNary	Molendorp	Munzlinger	Nance
Nieves	Nolte	Parkinson	Parson	Pollock
Pratt	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Swinger	Thomson

Tilley	Tracy	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Zerr	Mr Speaker			

NOES: 060

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Corcoran	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Kelly	Kirkton	Komo	Kratky	Kuessner
Lampe	LeBlanc	LeVota	Liese	Low
McClanahan	McDonald	McNeil	Meiners	Morris
Norr	Oxford	Pace	Quinn	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Still	Storch	Talboy	Todd	Vogt
Walton Gray	Webb	Webber	Whitehead	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 015

Curls	Diehl	Flanigan	Jones 63	Kander
Meadows	Nasheed	Newman	Salva	Schupp
Skaggs	Spreng	Viebrock	Walsh	Yaeger

VACANCIES: 001

On motion of Representative Emery, **Part III of HCS SS SCS SBs 586 & 617** was adopted by the following vote:

AYES: 119

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Casey	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Diehl	Dixon	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Harris	Hobbs	Hodges	Hoskins 121	Hummel
Icet	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	Liese	Lipke	Loehner
McClanahan	McGhee	McNeil	Molendorp	Munzlinger
Nance	Nieves	Nolte	Norr	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Thomson	Tilley

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Todd	Tracy	Viebrock	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Zerr	Zimmerman	Mr Speaker	

NOES: 032

Atkins	Burnett	Calloway	Carter	Chappelle-Nadal
Colona	Conway	Corcoran	Dieckhaus	Dougherty
Guest	Holsman	Hoskins 80	Hughes	Jones 63
LeBlanc	LeVota	Low	McDonald	McNary
Meiners	Morris	Oxford	Pace	Scharnhorst
Talboy	Vogt	Wallace	Walton Gray	Webb
Webber	Whitehead			

PRESENT: 000

ABSENT WITH LEAVE: 011

Curls	Flanigan	Meadows	Nasheed	Newman
Roorda	Salva	Schupp	Skaggs	Spreng
Yaeger				

VACANCIES: 001

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nieves	Nolte	Parkinson	Parson
Pollock	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Swinger	Thomson
Tilley	Tracy	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Zerr	Mr Speaker			

NOES: 057

Atkins	Aull	Biermann	Bringer	Brown 50
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Dougherty	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Kirkton
Komo	Kratky	Kuessner	Lampe	LeBlanc

LeVota	Liese	Low	McClanahan	McDonald
McNeil	Meiners	Morris	Norr	Oxford
Quinn	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Still	Storch	Talboy	Todd
Vogt	Walsh	Walton Gray	Webb	Webber
Whitehead	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 018

Burnett	Curls	Flanigan	Jones 63	Kander
Kelly	Meadows	Nasheed	Newman	Pace
Pratt	Roorda	Salva	Schupp	Skaggs
Spreng	Viebrock	Yaeger		

VACANCIES: 001

On motion of Representative Emery, **Part IV of HCS SS SCS SBs 586 & 617** was adopted by the following vote:

AYES: 128

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Casey	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 121	Hummel	Ice	Jones 89
Jones 117	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	Liese
Lipke	Loehner	McClanahan	McGhee	McNary
McNeil	Meiners	Molendorp	Morris	Munzlinger
Nance	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Zerr	Zimmerman	Mr Speaker		

NOES: 025

Atkins	Burnett	Calloway	Carter	Chappelle-Nadal
Colona	Conway	Corcoran	Curls	Dougherty

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Hoskins 80	Hughes	Jones 63	LeBlanc	LeVota
Low	McDonald	Schupp	Talboy	Vogt
Wallace	Walton Gray	Webb	Webber	Whitehead

PRESENT: 000

ABSENT WITH LEAVE: 009

Flanigan	Kander	Meadows	Nasheed	Newman
Roorda	Salva	Spreng	Yaeger	

VACANCIES: 001

On motion of Representative Emery, **HCS SS SCS SBs 586 & 617** was read the third time and passed by the following vote:

AYES: 118

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Casey	Cooper	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Diehl	Dixon	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Franz	Gatschenberger	Grisamore
Guernsey	Harris	Hobbs	Hodges	Holsman
Hoskins 121	Hummel	Icet	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	Liese
Lipke	Loehner	McClanahan	McGhee	McNary
McNeil	Meiners	Molendorp	Munzlinger	Nance
Nieves	Nolte	Norr	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Zerr	Zimmerman	Mr Speaker		

NOES: 028

Atkins	Burnett	Colona	Conway	Corcoran
Curls	Dieckhaus	Dougherty	Guest	Hoskins 80
Jones 63	LeBlanc	LeVota	Low	McDonald
Morris	Nasheed	Newman	Oxford	Pace
Schupp	Talboy	Vogt	Wallace	Walton Gray
Webb	Webber	Whitehead		

PRESENT: 000

ABSENT WITH LEAVE: 016

Calloway	Carter	Chappelle-Nadal	Cox	Flanigan
Frame	Funderburk	Grill	Hughes	Meadows
Roorda	Rucker	Salva	Schaaf	Spreng
Yaeger				

VACANCIES: 001

Speaker Richard declared the bill passed.

**APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS#2 SCS HCS#2 HB 1543:** Representatives Wallace, Schad, Stream, Lampe and Bringer  
**HCS SB 741:** Representatives Dugger, Smith (150), Deeken, Conway and Frame

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS#2 SCS HCS#2 HB 1543, as amended:** Senators Pearce, Shields, Rupp, Days and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 1007, as amended,** and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

**THIRD READING OF SENATE BILLS**

**SB 753,** relating to investment of cemetery funds, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **SB 753** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Casey	Colona	Conway	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly

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Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeBlanc	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
McNary	McNeil	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Zerr	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Chappelle-Nadal	Cooper	Corcoran	Cox
Emery	Flanigan	Hughes	Meadows	Roorda
Spreng	Vogt	Webb	Yaeger	

VACANCIES: 001

Speaker Richard declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**HCS SCS SB 829**, relating to the justice system, was taken up by Representative Lipke.

Representative Lipke offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

**“50.567. In every county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants the chief governing body of such county shall establish a "Jury Service Expense Fund" for the purpose of aiding with payment of expenses related to compensation of jurors for jury service under the provisions of subsection 4 of section 494.455. The fund shall consist of moneys collected in the basic funding for jury service calculated at the rate of six dollars per day. The fund shall be administered by the court en banc of the judicial circuit and may be audited as are all other county funds.”; and**

Further amend said bill, Pages 7-8, Section 209.200, by removing all of said section from the bill; and

Further amend said bill, Page 16, Section 491.170, Line 5, by inserting after all of said section and line the following:

“494.455. 1. Each county or city not within a county may elect to compensate its jurors pursuant to subsection 2 of this section except as otherwise provided in [subsection] **subsections 3 and 4** of this section.

2. Each grand and petit juror shall receive six dollars per day, for every day he or she may actually serve as such, and seven cents for every mile he or she may necessarily travel going from his or her place of residence to the courthouse and returning, to be paid from funds of the county or a city not within a county. The governing body of each county or a city not within a county may authorize additional daily compensation and mileage allowance for jurors, which additional compensation shall be paid from the funds of the county or a city not within a county. The governing body of each county or a city not within a county may authorize additional daily compensation and mileage allowance for jurors attending a coroner's inquest. Jurors may receive the additional compensation and mileage allowance authorized by this subsection only if the governing body of the county or the city not within a county authorizes the additional compensation. The provisions of this subsection authorizing additional compensation shall terminate upon the issuance of a mandate by the Missouri supreme court which results in the state of Missouri being obligated or required to pay any such additional compensation even if such additional compensation is formally approved or authorized by the governing body of a county or a city not within a county. Provided that a county or a city not within a county authorizes daily compensation payable from county or city funds for jurors who serve in that county pursuant to this subsection in the amount of at least six dollars per day in addition to the amount required by this subsection, a person shall receive an additional six dollars per day to be reimbursed by the state of Missouri so that the total compensation payable shall be at least eighteen dollars, plus mileage for each day that the person actually serves as a petit juror in a particular case; or for each day that a person actually serves as a grand juror during a term of a grand jury. The state shall reimburse the county for six dollars of the additional juror compensation provided by this subsection.

3. In any county of the first classification without a charter form of government and with a population of at least two hundred thousand inhabitants, no grand or petit juror shall receive compensation for the first two days of service, but shall receive fifty dollars per day for the third day and each subsequent day he or she may actually serve as such, and seven cents for every mile he or she may necessarily travel going from his or her place of residence to the courthouse and returning, to be paid from funds of the county.

**4. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants no grand or petit juror shall receive compensation for the first day of service. For the second day of service each grand and petit juror shall receive six dollars per day. For the third and each subsequent day he or she may actually serve as such each grand and petit juror shall receive forty dollars per day. No petit or grand juror shall receive pay for mileage for any day of service.**

5. When each panel of jurors summoned and attending court has completed its service, the board of jury commissioners shall cause to be submitted to the governing body of the county or a city not within a county a statement of fees earned by each juror. Within thirty days of the submission of the statement of fees, the governing body shall cause payment to be made to those jurors summoned the fees earned during their service as jurors.”; and

Further amend said bill, Page 26, Section 568.040, Line 2, by enclosing in brackets “[ ]” the phrase “, without good cause,”; and

Further amend said bill, Page 27, Section 568.040, Line 61, by inserting after all of said section and line the following:

“569.090. 1. A person commits the crime of tampering in the second degree if he or she:

(1) Tampers with property of another for the purpose of causing substantial inconvenience to that person or to another; or

(2) Unlawfully **enters or** rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle; or

(3) Tampers or makes connection with property of a utility; or

(4) Tampers with, or causes to be tampered with, any meter or other property of an electric, gas, steam or water utility, the effect of which tampering is either:

(a) To prevent the proper measuring of electric, gas, steam or water service; or

(b) To permit the diversion of any electric, gas, steam or water service.

2. In any prosecution under subdivision (4) of subsection 1, proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, steam

or water service, with one or more of the effects described in subdivision (4) of subsection 1, shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of such subdivision by the person or persons who use or receive the direct benefit of the electric, gas, steam or water service.

3. Tampering in the second degree is a class A misdemeanor unless:

(1) Committed as a second or subsequent violation of subdivision (2) or (4) of subsection 1, in which case it is a class D felony;

(2) The defendant has a prior conviction or has had a prior finding of guilt pursuant to paragraph (a) of subdivision (3) of subsection 3 of section 570.030, RSMo, section 570.080, RSMo, or subdivision (2) of subsection 1 of this section, in which case it is a class C felony.”; and

Further amend said bill, Page 38, Section 650.470, Line 50, by inserting after all of said section and line the following:

**“Section 1. There is hereby created the “Criminal Justice Review Commission” whose purpose is to study the number of nonviolent offenders who are incarcerated in the department of corrections and the cost and effectiveness of their incarceration and to make recommendations regarding nonviolent offender incarceration, sentencing, and diversion programs. The commission shall make annual reports to the governor, the speaker of the house, and the president pro tem of the senate no later than November 1 of each year. Members of the commission shall include a senator appointed by the president pro tem of the senate, a representative appointed by the speaker of the house, a judge appointed by the chief justice of the supreme court, the executive director of the office of prosecution services, the executive director of the association of counties, an individual appointed by the public defender commission, an individual appointed by the sentencing advisory commission, an individual appointed by the drug courts coordinating commission, the director of the department of corrections, the state budget director, and three individuals appointed by the governor including a county sheriff and a representative of a crime victims rights organization.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 1** was adopted.

Representative Parson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 10, Section 217.045, Line 10, by inserting after all of said line the following:

“301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026, RSMo.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable

and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

**4. Notwithstanding any provision of section 301.020, this section, or any other provision of law to the contrary, the director of revenue may provide owners of motor vehicles with a gross weight exceeding twenty thousand pounds, other than commercial vehicles, the option of triennially registering motor vehicles.**

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer's model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser may forward to the director of revenue the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate to the purchaser of the vehicle. The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such certificate may be granted within thirty days of the submission of a request.

3. Upon receipt of a properly completed application for a junking certificate, the director of revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title shall not again be issued for such vehicle; except that, the initial purchaser shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of title or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller's name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage

designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

**9. Notwithstanding any provision of law to the contrary, the owner of a vehicle for which a junking certificate has been issued may petition the circuit court in the county in which the vehicle is registered to void the junking certificate and issue a salvage title for the vehicle.”; and**

Further amend said bill, Page 13, Section 303.025, Line 40, by inserting after all of said section and line the following:

“306.127. 1. [Beginning January 1, 2005,] Every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol or its agent, **or a Missouri driver's license or nondriver's license with an endorsement**, which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or

(3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.

3. The Missouri state water patrol may charge a fee for such card or any replacement card that does not substantially exceed the costs of administrating this section. The Missouri state water patrol or its designated agent shall collect such fees. These funds shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any person who:

(1) Is licensed by the United States Coast Guard to serve as master of a vessel;

(2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;

(3) [Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

(4)] Is participating in an event or regatta approved by the water patrol;

[(5)] (4) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators (NASBLA);

[(6)] (5) Is exempted by rule of the water patrol;

[(7)] (6) Is currently serving in any branch of the United States armed forces, reserves, or Missouri national guard, or any spouse of a person currently in such service; or

[(8)] (7) Has previously successfully completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).

5. [The Missouri state water patrol shall inform other states of the requirements of this section.

6.] No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

[7. Beginning January 1, 2006,] 6. Any nonresident born after January 1, 1984, desiring to operate a rental vessel on the lakes of this state[,], may obtain a temporary boater education permit by completing and passing a written examination developed by the Missouri state water patrol, provided the person meets the minimum age requirements for operating a vessel in this state. The Missouri state water patrol is authorized to promulgate rules for developing the examination and any requirements necessary for issuance of the temporary boater education permit. The temporary boater education permit shall expire when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to renting a vessel, the business entity responsible for giving the examination shall collect such fee and forward all collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general revenue fund. Such business entity shall incur no additional liability in accepting the responsibility for administering the examination. [This subsection shall terminate on December 31, 2010.]

**306.532. Beginning January 1, 2011, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW".**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parson, **House Amendment No. 2** was adopted.

Representative Riddle offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 1, Section A, Line 8, by inserting after all of said line the following:

“32.056. The department of revenue shall not release the home address or any other information contained in the department's motor vehicle or driver registration records regarding any person, **and the immediate family members of any such person**, who is a county, state or federal parole officer or who is a federal pretrial officer or who is a peace officer pursuant to section [590.100, RSMo, or a member of the parole officer's, pretrial officer's or peace officer's immediate family] **590.010, or those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary**, based on a specific request for such information from any person. Any person [who is a county, state or federal parole officer or who is a federal pretrial officer or who is a peace officer pursuant to section 590.100, RSMo,] **with a current status covered by this section** may notify the department of such status and the department shall protect the confidentiality of the records on such a person and his or her immediate family as required by this section. This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.”; and

Further amend said bill, Page 11, Section 302.020, Line 33, by inserting after all of said section and line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points

(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo 12 points

In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation [of subsection 4] of section [304.016, RSMo]**304.012, RSMo** 4 points

In violation of a county or municipal ordinance 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction 2 points

(b) For the second conviction 4 points

(c) For the third conviction 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges 12 points

(7) Obtaining a license by misrepresentation 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law 8 points

In violation of a county or municipal ordinance or federal law or regulation 8 points

(11) Any felony involving the use of a motor vehicle 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025, RSMo 4 points

(14) Endangerment of a highway worker in violation of section 304.585, RSMo 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585, RSMo 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency 4 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385, RSMo, may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 3** was adopted.

Representative Kelly offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Section 67.402, Page 4, Line 71, by inserting after all of said section the following:

“67.1360. 1. The governing body of **the following cities and counties may impose a tax as provided in this section:**

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;
- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants; [or]

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

**(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants.**

**2. The governing body of any city or county listed in subsection 1 of this section** may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly, **House Amendment No. 4** was adopted.

Representative Zimmerman offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 8, Section 195.505, Line 20, by inserting after said line the following:

“196.165. [Any hotel, inn, delicatessen, grocery or butcher shop, or restaurant keeper, or any individual, firm or corporation, carrying on and conducting a boardinghouse, eating house, lunchroom business, or engaged in the catering business (all hereinafter referred to as "person"), who shall with intent to defraud, sell, prepare or expose for sale, any meat or meat preparation, articles of food or food products, either raw or prepared for human consumption, whether the same is to be consumed on the premises where prepared and sold, or whether same is taken or carried elsewhere for consumption, falsely represents such food or food preparation to be kosher, that is, that same is prepared under and of products sanctioned by the orthodox Hebrew religious rules and requirements; or who shall falsely represent that such meat or meat preparation, food or food product is, or will be prepared and served in accordance with such orthodox Hebrew religious rules and requirements, by displaying a sign or signs, in, on, or about said person's place of business or establishment, or by advertisement in any newspaper, magazine, or periodical, or by publication in any other manner whatsoever, the intent and purpose whereof shall be to represent to the public by such advertisement, or any other manner whatsoever, that kosher meat or meat preparations, or food or food products are prepared and sold in such place of business or establishment, or served therein, or prepared or sold to be taken for consumption elsewhere than on said premises; or who prepares, sells, serves, or prepares for sale, either to be consumed on the premises, or elsewhere, both kosher and nonkosher meat or meat preparations, or food or food products in the same place of business, who fails to keep separate kitchens and dining rooms, wherein meat or meat preparations, or food or food products are prepared and served; or who fails to keep and use separate and distinctly labeled or marked dishes and utensils wherein such meat or meat preparation of food or food product is prepared and served; or who shall fail to indicate on all signs and display advertising, in, on, or about said person's premises, in block letters, at least four inches in height, "kosher and nonkosher food prepared and sold here", as the case may be, or persons dealing in kosher meat or meat preparations, kosher food or food products only and persons dealing in both kosher and nonkosher meat or meat preparations, kosher and nonkosher food or food products who fail to adhere to and abide by orthodox Hebrew religious rules and requirements, shall be guilty of a misdemeanor, punishable by a fine of not less than twenty-five dollars, nor more than five hundred dollars, or by imprisonment of not less than thirty days nor more than one year, or both. Possession of nonkosher meat or meat preparation, or food or food product in any place of business advertising the sale of kosher meat and food only, is prima facie evidence that the person in possession exposes the same for sale with intent to defraud in violation of the provisions of this section.] **1. Except as provided in subsections 2 and 3 of this section, all food and food products which are sold or offered for sale as "kosher" or "kosher for Passover" and which are packaged in a sealed container shall have a label or symbol affixed thereto by the manufacturer, packer, or certifier of such food or food products representing the person, agency, or entity that certified such product as kosher or kosher for Passover. No person or entity other than such manufacturer, packer, or certifier shall affix such labels or symbols.**

**2. All food or food products which are sold or offered for sale as kosher or kosher for Passover and which are not packaged in a sealed container, or are packaged in a sealed container and do not meet the requirements of subsection 1 of this section shall not be sold or offered for sale unless the seller displays a sign which is clearly readable from where the kosher product is being offered for sale and which includes all of the following:**

- (1) A description of each food item which is kosher or kosher for Passover;**
- (2) The identity of the person, agency, or entity that has certified each food item as kosher or kosher for Passover;**
- (3) Certification that all equipment used in the preparation, storing, and serving of each food or food product is kosher or kosher for Passover;**
- (4) The time period during which the kosher certification is in effect, which shall not exceed twelve months; and**

(5) The designation of "dairy" or "D" for any product containing dairy ingredients.

3. Any person who sells or offers for sale in the same place of business both kosher certified and nonkosher certified poultry, meat, or meat preparations, either raw or prepared for human consumption, shall display signage clearly readable from where such products are being sold or offered for sale disclosing that both kosher and nonkosher meat or poultry are being sold, and clearly identifying which products are certified as kosher. This subsection shall not apply to the sale of poultry, poultry products, meats, or meat products sold solely in separate consumer packages which have been prepackaged and have a kosher certification label or symbol affixed as provided in subsection 1 of this section.

4. Any person who violates subsection 1, 2, or 3 of this section is guilty of a class B misdemeanor.

5. The presence of any poultry, poultry products, meats, meat products, or any prepared food that is not certified as kosher under subsection 1 or 2 of this section at an establishment which represents that it sells only food that is kosher is prima facie evidence that the person or establishment in possession of such food has offered such food for sale with intent to defraud in violation of this section.

6. Any person subject to the requirements of subsections 2 and 3 of this section shall not be deemed to have committed an unlawful practice if it can be shown by a preponderance of the evidence that the person justifiably relied in good faith upon the representations of a slaughterhouse, manufacturer, processor, packer, or distributor of any food represented to be kosher or kosher for Passover. Nothing in this subsection shall be construed as altering any person's recourses for unlawful conduct under Missouri law, nor shall any portion of this section be construed as limiting the legal rights of any person injured by the conduct of any slaughterhouse, manufacturer, processor, packer, or distributor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zimmerman, **House Amendment No. 5** was adopted.

Representative Faith offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 13, Section 303.025, Line 40, by inserting after all of said line the following:

“304.705. 1. In any county with a population of more than one hundred eighty thousand inhabitants that adjoins a county with a charter form of government with a population of more than nine hundred thousand inhabitants, all trucks registered for a gross weight of more than twenty-four thousand pounds, as of January 1, 2008, shall not be driven in the far left lane upon an interstate highway having at least three lanes proceeding in the same direction, within three miles of where an interstate highway and a three-digit numbered Missouri route intersects with an average daily traffic count on the interstate highway of at least one hundred thirty thousand vehicles at such point. The Missouri department of transportation shall design, manufacture, and install any informational and directional signs at the appropriate locations. Such restriction shall not apply when:

(1) It is reasonably necessary for the operation of the truck to respond to emergency conditions; or

(2) The right or a center lane of a roadway is closed to traffic while under construction, maintenance, or repair.

2. As used in this section, "truck" means any vehicle, machine, tractor trailer, or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed for or used in the transportation of property upon the highways.

3. A violation of this section is [an infraction] **a class C misdemeanor** unless such violation causes an immediate threat of an accident, in which case such violation shall be deemed a class [C] **B misdemeanor**, or unless an accident results from such violation, in which case such violation is a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still offered **House Amendment No. 1 to House Amendment No. 6**.

Representative Lipke raised a point of order that **House Amendment No. 1 to House Amendment No. 6** goes beyond the scope of the underlying amendment.

The Chair ruled the point of order well taken.

On motion of Representative Faith, **House Amendment No. 6** was adopted.

Representative Storch offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Section 209.200, Page 8, Line 20, by inserting after all of said section and line the following:

“210.950. 1. This section shall be known and may be cited as the "Safe Place for Newborns Act of 2002". The purpose of this section is to protect newborn children from injury and death caused by abandonment by a parent, and to provide safe and secure alternatives to such abandonment.

2. As used in this section, the following terms mean:

- (1) "Hospital", as defined in section 197.020, RSMo;
- (2) "Nonrelinquishing parent", the biological parent who does not leave a newborn infant with any person listed in subsection 3 of this section in accordance with this section;
- (3) "Relinquishing parent", the biological parent or person acting on such parent's behalf who leaves a newborn infant with any person listed in subsection 3 of this section in accordance with this section.

3. A parent shall not be prosecuted for a violation of section 568.030, 568.032, 568.045 or 568.050, RSMo, for actions related to the voluntary relinquishment of a child up to [five] **thirty** days old pursuant to this section [and it shall be an affirmative defense to prosecution for a violation of sections 568.030, 568.032, 568.045 and 568.050, RSMo, that a parent who is a defendant voluntarily relinquished a child no more than one year old pursuant to this section] if:

- (1) Expressing intent not to return for the child, the parent voluntarily delivered the child safely to the physical custody of any of the following persons:
  - (a) An employee, agent, or member of the staff of any hospital, in a health care provider position or on duty in a nonmedical paid or volunteer position;
  - (b) A firefighter or emergency medical technician on duty in a paid position or on duty in a volunteer position;

or

- (c) A law enforcement officer;
- (2) The child was no more than [one year] **thirty days** old when delivered by the parent to any person listed in subdivision (1) of this subsection; and
- (3) The child has not been abused or neglected by the parent prior to such voluntary delivery.

4. **A parent voluntarily relinquishing a child under this section shall not be required to provide any identifying information about the child or the parent. No person shall induce or coerce, or attempt to induce or coerce, a parent into revealing his or her identity. No officer, employee, or agent of this state or any political subdivision of this state shall attempt to locate or determine the identity of such parent. In addition, any person who obtains information on the relinquishing parent shall not disclose such information except to the following:**

- (1) **A birth parent who has waived anonymity or the child's adoptive parent;**
- (2) **The staff of the department of health and senior services, the department of social services, or any county health or social services agency or licensed child welfare agency that provides services to the child;**
- (3) **Persons performing juvenile court intake or dispositional services;**
- (4) **The attending physician;**
- (5) **The child's foster parent or any other person who has physical custody of the child;**
- (6) **A juvenile court or other court of competent jurisdiction conducting proceedings relating to the child;**
- (7) **The attorney representing the interests of the public in proceedings relating to the child; and**
- (8) **The attorney representing the interests of the child.**

5. A person listed in subdivision (1) of subsection 3 of this section shall, without a court order, take physical custody of a child the person reasonably believes to be no more than [one year] **thirty days** old and is delivered in accordance with this section by a person purporting to be the child's parent. If delivery of a newborn is made pursuant

to this section in any place other than a hospital, the person taking physical custody of the child shall arrange for the immediate transportation of the child to the nearest hospital licensed pursuant to chapter 197, RSMo.

[5.] 6. The hospital, its employees, agents and medical staff shall perform treatment in accordance with the prevailing standard of care as necessary to protect the physical health or safety of the child. The hospital shall notify the division of family services and the local juvenile officer upon receipt of a child pursuant to this section. The local juvenile officer shall immediately begin protective custody proceedings and request the child be made a ward of the court during the child's stay in the medical facility. Upon discharge of the child from the medical facility and pursuant to a protective custody order ordering custody of the child to the division, the **children's** division [of family services] shall take physical custody of the child. The parent's voluntary delivery of the child in accordance with this section shall constitute the parent's implied consent to any such act and a voluntary relinquishment of such parent's parental rights.

[6.] 7. In any termination of parental rights proceeding initiated after the relinquishment of a child pursuant to this section, the juvenile officer shall make public notice that a child has been relinquished, including the sex of the child, and the date and location of such relinquishment. Within thirty days of such public notice, the [nonrelinquishing] parent wishing to establish parental rights shall identify himself or herself to the court and state his or her intentions regarding the child. The court shall initiate proceedings to establish paternity, or if no person identifies himself as the father within thirty days, maternity. The juvenile officer shall make examination of the putative father registry established in section 192.016, RSMo, to determine whether attempts have previously been made to preserve parental rights to the child. If such attempts have been made, the juvenile officer shall make reasonable efforts to provide notice of the abandonment of the child to such putative father.

[7.] 8. (1) If a relinquishing parent of a child relinquishes custody of the child to any person listed in subsection 3 of this section in accordance with this section and to preserve the parental rights of the nonrelinquishing parent, the nonrelinquishing parent shall take such steps necessary to establish parentage within thirty days after the public notice or specific notice provided in subsection [6] 7 of this section.

(2) If [a nonrelinquishing] **either** parent fails to take steps to establish parentage within the thirty-day period specified in subdivision (1) of this subsection, [the nonrelinquishing] **either** parent may have all of his or her rights terminated with respect to the child.

(3) When [a nonrelinquishing] **either** parent inquires at a hospital regarding a child whose custody was relinquished pursuant to this section, such facility shall refer [the nonrelinquishing] **either** parent to the **children's** division [of family services] and the juvenile court exercising jurisdiction over the child.

[8.] 9. The persons listed in subdivision (1) of subsection 3 of this section shall be immune from civil, criminal, and administrative liability for accepting physical custody of a child pursuant to this section if such persons accept custody in good faith. Such immunity shall not extend to any acts or omissions, including negligent or intentional acts or omissions, occurring after the acceptance of such child.

[9.] 10. The **children's** division [of family services] shall:

(1) Provide information and answer questions about the process established by this section on the statewide, toll-free telephone number maintained pursuant to section 210.145;

(2) Provide information to the public by way of pamphlets, brochures, or by other ways to deliver information about the process established by this section.

[10.] 11. Nothing in this section shall be construed as conflicting with section 210.125.”; and

Further amend said bill, Section 211.031, Page 10, Line 90, by inserting after all of said section and line the following:

“211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

**(c) The parent has voluntarily relinquished a child under section 210.950; or**

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter;

or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566, RSMo, when the child or any child in the family was a victim, or a violation of section 568.020, RSMo, when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape. When the biological father has pled guilty to, or is convicted of, the forcible rape of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to, abuses as defined in section 455.010, RSMo, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, RSMo, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 7** was adopted.

Representative Cunningham offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 15, Section 479.260, Line 55, by inserting after all of said section and line the following:

“488.2205. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within the thirtieth judicial circuit in all criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the county where the violation occurred.

2. Each county shall use all funds received pursuant to this section only to pay for the costs associated with the construction, maintenance and operation of the county judicial facility and the circuit juvenile detention center including, but not limited to, utilities, maintenance and building security. The county shall maintain records identifying such operating costs, and any moneys not needed for the operating costs of the county judicial facility shall be transmitted quarterly to the general revenue fund of the county.

3. This section shall expire and be of no force and effect on and after January 1, [2010] **2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham, **House Amendment No. 8** was adopted.

Representative Hobbs offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 13, Section 303.025, Line 40, by inserting after all of said line the following:

**“339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".**

**339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:**

(1) **"Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;**

(2) **"Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;**

(3) **"Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:**

(a) **Administer an appraiser panel;**

(b) **Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;**

(c) **Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;**

(d) **Track and determine the status of orders for appraisals;**

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(4) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(5) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(6) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(7) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(8) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(9) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(10) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.

339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;

(10) An irrevocable Uniform Consent to Service of Process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.

339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) A person who exclusively employs appraisers on an employer and employee basis for the performance of appraisals;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.

339.1125. Registration shall be valid for two years from its issuance.

339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable Uniform Consent to Service of Process, as prescribed by the commission.

339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.

339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.

339.1150. 1. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.

**339.1175.** Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.

**339.1180.** Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.

**339.1185.** 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.

**339.1190.** 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.

**339.1200.** 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

- (1) Provide additional information about the basis for a valuation; or
- (2) Correct objective factual errors in an appraisal report; or
- (3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.

339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

- (a) The lender;
- (b) A real estate licensee; or
- (c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

- (a) Uniformed Standards of Professional Appraisal Practice (USPAP);
- (b) The Missouri certified and licensed real estate appraisers act established under this chapter; or
- (c) Any assignment conditions and certifications required by the client;
- (6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

- (a) A loan closing; or
- (b) Specific dollar amount being achieved by the appraiser in the appraisal report.

339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.

339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

- (1) Permanently removing the appraiser's signature or seal; or
- (2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.

339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.

339.1235. 1. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of twenty-five thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

(1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;

(2) Violating any rule adopted by the commission; or

(3) Procuring a license by fraud, misrepresentation, or deceit.

339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.”; and

Further amend said bill, Page 39, Section B, Line 10, by inserting after all of said line the following:

“Section C. Sections 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135, 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, and 339.1240 of section A of this act shall become effective on January 1, 2011.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hobbs, **House Amendment No. 9** was adopted.

Representative Roorda offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 1, Section A, Line 8, by inserting after all of said line the following:

“66.010. 1. Any county framing and adopting a charter for its own government under the provisions of section 18, article VI of the constitution of this state, may prosecute and punish violations of its county ordinances in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court. In addition, the county may prosecute and punish municipal ordinance violations in the county municipal court pursuant to a contract with any municipality within the county. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's ordinances and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the city. Costs and procedures in any such county municipal court shall be governed by the provisions of law relating to municipal ordinance violations in municipal divisions of circuit courts.

2. In any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county executive of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by ordinance of the county.

3. The number of divisions of such county municipal court and its term shall be established by ordinance of the county.

4. Except in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county shall provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the county seat. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the county may provide for regular sessions of court in the evening hours after 6:00 p.m. and at locations outside the county seat.

5. Judges of the county municipal court shall be licensed to practice law in this state and shall be residents of the county in which they serve. Municipal court judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a municipal court judge and **full-time municipal judges** shall not be a judge or prosecutor for any other court.

6. **Whenever any judge of the county municipal court shall become temporarily ill or otherwise unavailable, any county municipal court judge may appoint an acting county municipal court judge to take his or her place on a temporary basis. The acting county municipal court judge appointed shall be a person who already serves as a municipal court judge within the same judicial circuit. The provisions of subsection 5 of this section shall not apply to acting county municipal court judges.**

7. In establishing the county municipal court, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

[7.] 8. In a county municipal court established pursuant to this section, the county may provide by ordinance for court costs not to exceed the sum which may be provided by municipalities for municipal violations before municipal courts. The county municipal judge may assess costs against a defendant who pleads guilty or is found guilty except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs. The costs authorized in this subsection are in addition to service costs, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court or judge costs or fees. Such costs shall be collected by the authorized clerk and deposited into the county treasury.

[8.] 9. Provisions shall be made for recording of proceedings, except that if such proceedings are not recorded, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, RSMo, except that the provisions of subsection 2 of section 512.180, RSMo, shall not apply to such cases. In the event that such proceedings are recorded, all final decisions of the county municipal court shall be appealable on such record to the appellate court with appropriate jurisdiction.

[9.] 10. Any person charged with the violation of a county ordinance in a county which has established a county municipal court under the provisions of this section shall, upon request, be entitled to a trial by jury before a county municipal court judge. Any jury trial shall be heard with a record being made.

[10.] **11.** In the event that a court is established pursuant to this section, the circuit judges of the judicial circuit with jurisdiction within that county may authorize the judges of the county municipal court to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles as provided by local rule.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 10** was adopted.

Representative Grisamore offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 37, Section 621.275, Line 21, by inserting after all of said line the following:

**"650.130. 1. This section shall be known and may be cited as "The Kelsey Smith Act".**

**2. Upon request of a law enforcement agency, a wireless telecommunications carrier shall provide call location information concerning the telecommunications device of the user to the requesting law enforcement agency in order to respond to a call for emergency services or in an emergency situation that involves the risk of death or serious physical harm.**

**3. Notwithstanding any other provision of law, nothing in this section prohibits a wireless telecommunications carrier from establishing protocols by which the carrier could voluntarily disclose call location information.**

**4. No cause of action shall lie in any court against any wireless telecommunications carrier, its officers, employees, agents or other specified persons for providing call location information while acting in good faith and in accordance with the provisions of this section.**

**5. All wireless telecommunications carriers registered to do business in the state of Missouri or submitting to the jurisdiction thereof and all resellers of wireless telecommunications services shall submit their emergency contact information to the department of public safety in order to facilitate requests from a law enforcement agency for call location information in accordance with this section. This contact information shall be submitted annually by June fifteenth or immediately upon any change in contact information.**

**6. The department of public safety shall maintain a database containing emergency contact information for all wireless telecommunications carriers registered to do business in the state of Missouri and shall make the information immediately available upon request to all public safety answer points in the state.**

**7. The director of the department of public safety shall promulgate any rules and regulations necessary to fulfill the requirements of this section no later than July 1, 2011."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 11** was adopted.

Representative Day offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, Page 6, Section 71.285, Line 80, by inserting after all of said line the following:

**"195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.**

2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply. **The supply limitations provided in this subsection shall not apply if the prescription is dispensed directly to a member of the United States armed forces serving outside the United States.**

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.”; and

Further amend said bill, Page 13, Section 303.025, Line 40, by inserting after all of said line the following:

“338.100. 1. Every permit holder of a licensed pharmacy shall cause to be kept in a uniform fashion consistent with this section a suitable **book, file, or electronic record keeping system** in which shall be preserved, for a period of not less than five years, the original or order of each drug which has been compounded or dispensed at such pharmacy, according to and in compliance with standards provided by the board, and shall produce the same in court or before any grand jury whenever lawfully required. A licensed pharmacy may maintain its prescription file on readable microfilm for records maintained over three years. After September, 1999, a licensed pharmacy may preserve prescription files on microfilm or by electronic media storage for records maintained over three years. The pharmacist in charge shall be responsible for complying with the permit holder's record-keeping system in compliance with this section. Records maintained by a pharmacy that contain medical or drug information on patients or their care shall be considered as confidential and shall only be released according to standards provided by the board. Upon request, the pharmacist in charge of such pharmacy shall furnish to the prescriber, and may furnish to the person for whom such prescription was compounded or dispensed, a true and correct copy of the original prescription. The file of original prescriptions **in whatever format kept in compliance with this section**, and other confidential records, as defined by law, shall at all times be open for inspection by board of pharmacy representatives. **Records maintained in an electronic record keeping system shall contain all information otherwise required in a manual record keeping system. Electronic records shall be readily retrievable. Pharmacies may electronically maintain the original prescription or prescription order for each drug and may electronically annotate any change or alteration to a prescription record in the electronic record keeping system as authorized by law, provided however, original written and faxed prescriptions must be physically maintained on file at the pharmacy pursuant to state and federal controlled substance laws.**

2. An institutional pharmacy located in a hospital shall be responsible for maintaining records of the transactions of the pharmacy as required by federal and state laws and as necessary to maintain adequate control and accountability of all drugs. This shall include a system of controls and records for the requisitioning and dispensing of pharmaceutical supplies where applicable to patients, nursing care units and to other departments or services of the institution. Inspection performed pursuant to this subsection shall be consistent with the provisions of section 197.100, RSMo.

3. **“Electronic record keeping system”, as used in this section shall mean a system, including machines, methods or organization, and procedures, that provides input, storage, processing, communications, output, and control functions for digitized images of original prescriptions.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 12** was adopted.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Ervin	Faith	Fisher 125	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hobbs	Hoskins 121	Ice	Jones 89
Jones 117	Keeney	Kingery	Koenig	Kraus
Lair	Largent	Leara	Lipke	Loehner
McGhee	McNary	Molendorp	Munzlinger	Nance
Nieves	Nolte	Parkinson	Parson	Pollock
Pratt	Riddle	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wright	Zerr
Mr Speaker				

NOES: 065

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
LeBlanc	LeVota	Low	McClanahan	McNeil
Meiners	Morris	Nasheed	Newman	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schupp	Shively
Skaggs	Still	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Walton Gray	Webb
Webber	Whitehead	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 011

Corcoran	Emery	Flanigan	Holsman	Kuessner
Lampe	Liese	McDonald	Meadows	Schoemehl
Spreng				

VACANCIES: 001

On motion of Representative Lipke, **HCS SCS SB 829, as amended**, was adopted.

On motion of Representative Lipke, **HCS SCS SB 829, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cooper	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Lair
Lampe	Largent	Leara	LeBlanc	LeVota
Liese	Lipke	Loehner	Low	McGhee
McNary	McNeil	Meiners	Morris	Munzlinger
Nance	Nasheed	Newman	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Vogt	Wallace	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 001

Hughes

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 011

Corcoran	Dougherty	Emery	Flanigan	Kuessner
McClanahan	McDonald	Meadows	Schoemehl	Skaggs
Spreng				

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cooper	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hughes	Hummel	Icet
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	LeBlanc	LeVota	Liese
Lipke	Low	McClanahan	McDonald	McGhee
McNary	McNeil	Meiners	Morris	Munzlinger
Nance	Nasheed	Newman	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schupp	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Vogt	Wallace	Walsh
Walton Gray	Wasson	Webb	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 006

Corcoran	Flanigan	Loehner	Meadows	Schoemehl
Spreng				

VACANCIES: 001

**SCS SB 834**, relating to domestic insurance companies, was taken up by Representative Diehl.

On motion of Representative Diehl, **SCS SB 834** was truly agreed to and finally passed by the following vote:

AYES: 110

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Brown 50	Brown 149	Bruns	Burlison
Casey	Colona	Cooper	Cox	Cunningham
Davis	Day	Deeken	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Franz	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Hobbs	Hodges
Hoskins 121	Hummel	Icet	Jones 89	Jones 117
Keeney	Kelly	Kingery	Koenig	Komo
Kratky	Lair	Largent	Leara	Lipke
McClanahan	McGhee	McNary	Meiners	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Parkinson	Pratt	Quinn
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Swinger	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Wasson	Webber
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	Mr Speaker

NOES: 035

Atkins	Bringer	Burnett	Carter	Chappelle-Nadal
Conway	Curls	Harris	Holsman	Hoskins 80
Hughes	Jones 63	Kander	Kirkton	Kuessner
Lampe	LeVota	Low	McDonald	McNeil
Morris	Newman	Pace	Rucker	Schupp
Shively	Skaggs	Still	Storch	Talboy
Vogt	Walsh	Walton Gray	Webb	Whitehead

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 30	Calloway	Corcoran	Denison	Dougherty
Flanigan	Frame	Funderburk	Kraus	LeBlanc
Liese	Loehner	Meadows	Parson	Pollock
Riddle	Spreng			

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

**SCS SB 616**, relating to community health center volunteers, was taken up by Representative Wasson.

Representative Day offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 616, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply. **The supply limitations provided in this subsection shall not apply if the prescription is dispensed directly to a member of the United States armed forces serving outside the United States.**

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.

338.100. 1. Every permit holder of a licensed pharmacy shall cause to be kept in a uniform fashion consistent with this section a suitable **book, file, or electronic record keeping system** in which shall be preserved, for a period of not less than five years, the original or order of each drug which has been compounded or dispensed at such pharmacy, according to and in compliance with standards provided by the board, and shall produce the same in court or before any grand jury whenever lawfully required. A licensed pharmacy may maintain its prescription file on readable microfilm for records maintained over three years. After September, 1999, a licensed pharmacy may preserve prescription files on microfilm or by electronic media storage for records maintained over three years. The pharmacist in charge shall be responsible for complying with the permit holder's record-keeping system in compliance with this section. Records maintained by a pharmacy that contain medical or drug information on patients or their care shall be considered as confidential and shall only be released according to standards provided by the board. Upon request, the pharmacist in charge of such pharmacy shall furnish to the prescriber, and may furnish to the person for whom such prescription was compounded or dispensed, a true and correct copy of the original prescription. The file of original prescriptions **in whatever format kept in compliance with this section**, and other confidential records, as defined by law, shall at all times be open for inspection by board of pharmacy representatives. **Records maintained in an electronic record keeping system shall contain all information otherwise required in a manual record keeping system. Electronic records shall be readily retrievable. Pharmacies may electronically maintain the original prescription or prescription order for each drug and may electronically annotate any change or alteration to a prescription record in the electronic record keeping system as authorized by law, provided however, original written and faxed prescriptions must be physically maintained on file at the pharmacy pursuant to state and federal controlled substance laws.**

2. An institutional pharmacy located in a hospital shall be responsible for maintaining records of the transactions of the pharmacy as required by federal and state laws and as necessary to maintain adequate control and accountability of all drugs. This shall include a system of controls and records for the requisitioning and dispensing of pharmaceutical supplies where applicable to patients, nursing care units and to other departments or services of the institution. Inspection performed pursuant to this subsection shall be consistent with the provisions of section 197.100, RSMo.

3. **“Electronic record keeping system”, as used in this section shall mean a system, including machines, methods or organization, and procedures, that provides input, storage, processing, communications, output, and control functions for digitized images of original prescriptions.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

Representative Dougherty offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 616, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;
- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

7. [Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on June 30, 2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 2** was adopted.

Representative Wells offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 616, Page 1, Section A, Line 3, by inserting immediately after said line the following:

**“208.198. Subject to appropriations, the department of social services shall establish a rate for reimbursement of physicians and optometrists for services rendered to patients under the MO HealthNet program which provides equal reimbursement for the same or similar services rendered.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 3** was adopted by the following vote:

AYES: 137

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cooper	Cox	Curls	Davis	Day
Deeken	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Faith	Fischer 107	Fisher 125	Flook	Franz
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Kander	Keeney
Kelly	Kingery	Kirkton	Komo	Kratky
Kraus	Lair	Lampe	Largent	Leara
LeVota	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Parkinson	Parson	Pollock	Pratt	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Still	Storch	Stream
Sutherland	Talboy	Thomson	Todd	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Webb	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 003

Dethrow	Ervin	Pace
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PRESENT: 002

Swinger	Tilley
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ABSENT WITH LEAVE: 020

Corcoran	Cunningham	Fallert	Flanigan	Frame
Funderburk	Holsman	Hughes	Jones 89	Jones 117
Koenig	Kuessner	LeBlanc	Liese	Meadows
Quinn	Spreng	Stevenson	Vogt	Webber

VACANCIES: 001

**Representative Wasson offered House Amendment No. 4.**

*House Amendment No. 4*

AMEND Senate Committee Substitute for Senate Bill No. 616, Page 1, Section 376.1745, Line 15, by deleting all of said line and inserting in lieu thereof the following “**volunteers recruited from local associations of professional described under section 538.315, RSMo.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Richard resumed the Chair.

On motion of Representative Wasson, **House Amendment No. 4** was adopted.

On motion of Representative Wasson, **SCS SB 616, as amended**, was read the third time and passed by the following vote:

AYES: 144

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Carter
Casey	Chappelle-Nadal	Conway	Cooper	Cox
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Franz	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNary	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schoeller	Schoemehl	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray

Wasson	Webb	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 017

Calloway	Colona	Corcoran	Cunningham	Flanigan
Frame	Funderburk	Holsman	Hughes	Kuessner
LeBlanc	Meadows	Quinn	Salva	Scharnhorst
Spreng	Vogt			

VACANCIES: 001

Speaker Richard declared the bill passed.

**HCS SB 684**, relating to adoption orders and embryos, was taken up by Representative Stevenson.

Representative Storch offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 684, Page 1, Section A, Line 3, by inserting after all of said line the following:

“210.950. 1. This section shall be known and may be cited as the "Safe Place for Newborns Act of 2002". The purpose of this section is to protect newborn children from injury and death caused by abandonment by a parent, and to provide safe and secure alternatives to such abandonment.

2. As used in this section, the following terms mean:

(1) "Hospital", as defined in section 197.020, RSMo;

(2) "Nonrelinquishing parent", the biological parent who does not leave a newborn infant with any person listed in subsection 3 of this section in accordance with this section;

(3) "Relinquishing parent", the biological parent or person acting on such parent's behalf who leaves a newborn infant with any person listed in subsection 3 of this section in accordance with this section.

3. A parent shall not be prosecuted for a violation of section 568.030, 568.032, 568.045 or 568.050, RSMo, for actions related to the voluntary relinquishment of a child up to [five] **thirty** days old pursuant to this section [and it shall be an affirmative defense to prosecution for a violation of sections 568.030, 568.032, 568.045 and 568.050, RSMo, that a parent who is a defendant voluntarily relinquished a child no more than one year old pursuant to this section] if:

(1) Expressing intent not to return for the child, the parent voluntarily delivered the child safely to the physical custody of any of the following persons:

(a) An employee, agent, or member of the staff of any hospital, in a health care provider position or on duty in a nonmedical paid or volunteer position;

(b) A firefighter or emergency medical technician on duty in a paid position or on duty in a volunteer position;

or

(c) A law enforcement officer;

(2) The child was no more than [one year] **thirty days** old when delivered by the parent to any person listed in subdivision (1) of this subsection; and

(3) The child has not been abused or neglected by the parent prior to such voluntary delivery.

4. A parent voluntarily relinquishing a child under this section shall not be required to provide any identifying information about the child or the parent. No person shall induce or coerce, or attempt to induce or coerce, a parent into revealing his or her identity. No officer, employee, or agent of this state or any political subdivision of this state shall attempt to locate or determine the identity of such parent. In addition, any person who obtains information on the relinquishing parent shall not disclose such information except to the following:

- (1) A birth parent who has waived anonymity or the child's adoptive parent;
- (2) The staff of the department of health and senior services, the department of social services, or any county health or social services agency or licensed child welfare agency that provides services to the child;
- (3) Persons performing juvenile court intake or dispositional services;
- (4) The attending physician;
- (5) The child's foster parent or any other person who has physical custody of the child;
- (6) A juvenile court or other court of competent jurisdiction conducting proceedings relating to the child;
- (7) The attorney representing the interests of the public in proceedings relating to the child; and
- (8) The attorney representing the interests of the child.

5. A person listed in subdivision (1) of subsection 3 of this section shall, without a court order, take physical custody of a child the person reasonably believes to be no more than [one year] **thirty days** old and is delivered in accordance with this section by a person purporting to be the child's parent. If delivery of a newborn is made pursuant to this section in any place other than a hospital, the person taking physical custody of the child shall arrange for the immediate transportation of the child to the nearest hospital licensed pursuant to chapter 197, RSMo.

[5.] 6. The hospital, its employees, agents and medical staff shall perform treatment in accordance with the prevailing standard of care as necessary to protect the physical health or safety of the child. The hospital shall notify the division of family services and the local juvenile officer upon receipt of a child pursuant to this section. The local juvenile officer shall immediately begin protective custody proceedings and request the child be made a ward of the court during the child's stay in the medical facility. Upon discharge of the child from the medical facility and pursuant to a protective custody order ordering custody of the child to the division, the **children's** division [of family services] shall take physical custody of the child. The parent's voluntary delivery of the child in accordance with this section shall constitute the parent's implied consent to any such act and a voluntary relinquishment of such parent's parental rights.

[6.] 7. In any termination of parental rights proceeding initiated after the relinquishment of a child pursuant to this section, the juvenile officer shall make public notice that a child has been relinquished, including the sex of the child, and the date and location of such relinquishment. Within thirty days of such public notice, the [nonrelinquishing] parent wishing to establish parental rights shall identify himself or herself to the court and state his or her intentions regarding the child. The court shall initiate proceedings to establish paternity, or if no person identifies himself as the father within thirty days, maternity. The juvenile officer shall make examination of the putative father registry established in section 192.016, RSMo, to determine whether attempts have previously been made to preserve parental rights to the child. If such attempts have been made, the juvenile officer shall make reasonable efforts to provide notice of the abandonment of the child to such putative father.

[7.] 8. (1) If a relinquishing parent of a child relinquishes custody of the child to any person listed in subsection 3 of this section in accordance with this section and to preserve the parental rights of the nonrelinquishing parent, the nonrelinquishing parent shall take such steps necessary to establish parentage within thirty days after the public notice or specific notice provided in subsection [6] 7 of this section.

(2) If [a nonrelinquishing] **either** parent fails to take steps to establish parentage within the thirty-day period specified in subdivision (1) of this subsection, [the nonrelinquishing] **either** parent may have all of his or her rights terminated with respect to the child.

(3) When [a nonrelinquishing] **either** parent inquires at a hospital regarding a child whose custody was relinquished pursuant to this section, such facility shall refer [the nonrelinquishing] **either** parent to the **children's** division [of family services] and the juvenile court exercising jurisdiction over the child.

[8.] 9. The persons listed in subdivision (1) of subsection 3 of this section shall be immune from civil, criminal, and administrative liability for accepting physical custody of a child pursuant to this section if such persons accept custody in good faith. Such immunity shall not extend to any acts or omissions, including negligent or intentional acts or omissions, occurring after the acceptance of such child.

[9.] 10. The **children's** division [of family services] shall:

- (1) Provide information and answer questions about the process established by this section on the statewide, toll-free telephone number maintained pursuant to section 210.145;
- (2) Provide information to the public by way of pamphlets, brochures, or by other ways to deliver information about the process established by this section.

[10.] 11. Nothing in this section shall be construed as conflicting with section 210.125.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

**(c) The parent has voluntarily relinquished a child under section 210.950; or**

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter;

or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566, RSMo, when the child or any child in the family was a victim, or a violation of section 568.020, RSMo, when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape. When the biological father has pled guilty to, or is convicted of, the forcible rape of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to, abuses as defined in section 455.010, RSMo, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, RSMo, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 1** was adopted.

Representative Dethrow offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 684, Page 4, Section 453.256, Line 4, by inserting after all of said line the following:

“**Section 1. No state employee acting in the course of his or her employment shall recommend or otherwise suggest dissolution of marriage to a married individual as a method of qualifying for MO HealthNet.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dethrow, **House Amendment No. 2** was adopted by the following vote:

AYES: 114

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Calloway	Casey
Cooper	Cox	Cunningham	Curls	Davis
Day	Deeken	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fischer 107	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Hoskins 121	Hummel	Ice	Jones 117
Keeney	Kelly	Kingery	Koenig	Kratky
Kraus	Lair	Lampe	Largent	Leara
LeVota	Liese	McGhee	McNary	McNeil
Meiners	Molendorp	Munzlinger	Nance	Nasheed
Nolte	Parkinson	Pratt	Quinn	Riddle
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Wasson	Webber
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Mr Speaker	

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NOES: 029

Carter	Chappelle-Nadal	Colona	Conway	Frame
Hoskins 80	Jones 63	Kander	Kirkton	Komo
Low	McClanahan	McDonald	Morris	Newman
Norr	Oxford	Pace	Roorda	Rucker
Schaaf	Schupp	Skaggs	Still	Talboy
Walton Gray	Webb	Whitehead	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 019

Burnett	Corcoran	Denison	Fallert	Flanigan
Holsman	Hughes	Jones 89	Kuessner	LeBlanc
Lipke	Loehner	Meadows	Nieves	Parson
Pollock	Salva	Spreng	Vogt	

VACANCIES: 001

On motion of Representative Stevenson, **HCS SB 684, as amended**, was adopted.

On motion of Representative Stevenson, **HCS SB 684, as amended**, was read the third time and passed by the following vote:

AYES: 133

Allen	Atkins	Aull	Ayres	Biermann
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Casey
Colona	Conway	Cox	Cunningham	Curls
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lampe	Largent	Leara	LeBlanc
LeVota	Liese	Lipke	McClanahan	McDonald
McGhee	McNary	McNeil	Meiners	Morris
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Parkinson	Parson	Pollock
Pratt	Riddle	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Wasson	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Zerr	Mr Speaker		

NOES: 015

Carter	Chappelle-Nadal	Hoskins 80	Newman	Pace
Quinn	Schaaf	Schupp	Shively	Still
Talboy	Vogt	Walton Gray	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 014

Bivins	Cooper	Corcoran	Flanigan	Holsman
Hughes	Lair	Loehner	Low	Meadows
Molendorp	Roorda	Spreng	Webb	

VACANCIES: 001

Speaker Richard declared the bill passed.

**HCS SCS SB 815**, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Dougherty offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 815, Page 25, Section 167.128, Line 9, by inserting immediately after said line the following:

“167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or physician. Evidence of the examination shall be submitted to the school no later than January first of the first year in which the student is enrolled at the school, provided that the evidence submitted in no way violates any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and Accountability Act of 1996.

2. The state board of education, in conjunction with the department of health and senior services, shall promulgate rules establishing the criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, or other rules as are necessary for the enforcement of this section. The form or other proof of such examination shall include but not be limited to identifying the result of the examinations performed under subsection 4 of this section, the cost for the examination, the examiner's qualifications, and method of payment through either:

- (1) Insurance;
- (2) The state Medicaid program;
- (3) Complimentary; or
- (4) Other form of payment.

3. The department of elementary and secondary education, in conjunction with the department of health and senior services, shall compile and maintain a list of sources to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced-cost basis. The sources may include individuals, and federal, state, local government, and private programs. The department of elementary and secondary education shall ensure that the superintendent of schools, the principal of each elementary school, the school nurse or other person responsible for school health services, and the parent organization for each district elementary school receives an updated copy of the list each year prior to school opening. Professional and service organizations concerned with vision health may assist in gathering and disseminating the information, at the direction of the department of elementary and secondary education.

4. For purposes of this section, the following comprehensive vision examinations shall include but not be limited to:

- (1) Complete case history;

- (2) Visual acuity at distance (aided and unaided);
- (3) External examination and internal examination (ophthalmoscopic examination);
- (4) Subjective refraction to best visual acuity.

5. Findings from the evidence of examination shall be provided to the department of health and senior services and kept by the optometrist or physician for a period of seven years.

6. In the event that a parent or legal guardian of a child subject to this section shall submit to the appropriate school administrator a written request that the child be excused from taking a vision examination as provided in this section, that child shall be so excused.

7. [Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on June 30, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.] **Pursuant to section 23.253 of the Missouri sunset act, the provisions of the program authorized under this section are hereby reauthorized and shall automatically sunset on June 30, 2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1** was adopted.

Representative Ruestman offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 815, Page 37, Section 2, Line 43, by inserting immediately after said line the following:

**“Section 3. 1. This section shall be known and may be cited as the "School Construction Act". The provisions of this section are intended solely to assist school districts in obtaining the maximum value from their tax dollars expended for the construction and maintenance of their educational facilities.**

**2. Notwithstanding any provision of law to the contrary, for work done on behalf of a school, a school district in any county except a county with a charter form of government may exempt itself from the provisions of sections 290.210 to 290.340 upon majority vote of the school board of such district. If the school district exempts itself from sections 290.210 to 290.340, the school district shall notify the division of labor standard within the department of such exemption.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Burlison	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flook
Franz	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Hoskins 121	Icet	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Largent	Leara	Lipke	Loehner	McGhee

McNary	Molendorp	Munzlinger	Nance	Nieves
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright	Zerr	Mr Speaker		

NOES: 069

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Newman	Norr	Oxford
Pace	Quinn	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Schupp	Shively
Skaggs	Spreng	Still	Storch	Talboy
Vogt	Walsh	Walton Gray	Webb	Webber
Whitehead	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bruns	Corcoran	Flanigan	Funderburk	Meadows
Nasheed	Nolte	Scharnhorst	Swinger	Todd

VACANCIES: 001

Representative Ruestman moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Ayres	Bivins	Brandom	Brown 149
Burlison	Cooper	Cox	Cunningham	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Emery	Ervin
Faith	Fisher 125	Flook	Franz	Guernsey
Guest	Hobbs	Hoskins 121	Icet	Jones 89
Keeney	Kingery	Lair	Largent	Lipke
McNary	Munzlinger	Nance	Nieves	Parkinson
Parson	Pollock	Riddle	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schoeller	Self	Smith 150	Stevenson	Stream
Thomson	Tracy	Viebrock	Wallace	Wells
Weter	Wilson 119	Wilson 130	Mr Speaker	

NOES: 085

Allen	Atkins	Biermann	Bringer	Brown 30
Brown 50	Burnett	Carter	Casey	Chappelle-Nadal
Colona	Conway	Corcoran	Curls	Dougherty
Dusenberg	Englund	Fallert	Fischer 107	Frame
Gatschenberger	Grill	Grisamore	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Jones 117	Kander	Kelly	Kirkton	Komo
Kratky	Kraus	Kuessner	Lampe	Learn
LeBlanc	LeVota	Liese	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meiners
Molendorp	Morris	Newman	Norr	Oxford
Pace	Pratt	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Silvey	Skaggs	Spreng	Still
Storch	Sutherland	Talboy	Tilley	Vogt
Walsh	Walton Gray	Webb	Webber	Whitehead
Witte	Wright	Yaeger	Zerr	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 013

Bruns	Calloway	Flanigan	Funderburk	Koenig
Meadows	Nasheed	Nolte	Scharnhorst	Smith 14
Swinger	Todd	Wasson		

VACANCIES: 001

### Representative Stream offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 815, Page 38, Section B, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 3** was adopted.

### Representative Pratt offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 815, Page 22, Section 163.410, Line 20, by inserting after all of said line the following:

**“164.320. All qualified school construction bond issuance authorizations for calendar year 2010 shall be allocated by the department of elementary and secondary education on an average daily attendance basis to school districts in which the constitutionally required percentage of voters authorized the incurrence of debt on an applicable election day in August 2009, as provided in subsection 1 of section 115.123, the general election day in November 2009, as provided in subsection 6 of section 115.121, or on any applicable election date in 2010 in order to provide funds for such districts to acquire, construct, equip, improve, restore, or furnish public school facilities in accordance with the provisions of the American Recovery and Reinvestment Act of 2009 and with**

**Section 54F of the Internal Revenue Code of 1986, as amended, which provides for qualified school construction bonds. The department shall utilize the most current available data in determining the per average daily attendance allocation amounts and shall submit a report to the secretary of the senate and the chief clerk of the house of representatives detailing the 2010 calendar year qualified school construction bond issuance authorization allocations not less than thirty days subsequent to the completion of the 2010 allocation schedule.”; and**

Further amend said bill, Page 38, Section B, Line 2, by inserting after all of said line the following:

“Section C. Because of the importance of making qualified school construction bond issuance authorizations available to school districts, the enactment of section 164.320 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 164.320 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dugger	Dusenberg
Ervin	Faith	Fisher 125	Flook	Franz
Funderburk	Gatschenberger	Grisamore	Guernsey	Guest
Hobbs	Icet	Jones 89	Keeney	Kingery
Koenig	Kraus	Lair	Largent	Leara
Lipke	Loehner	McGhee	McNary	Molendorp
Munzlinger	Nance	Nieves	Parkinson	Parson
Pollock	Pratt	Riddle	Ruestman	Ruzicka
Sander	Sater	Schaaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 072

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Corcoran	Curls	Dougherty
Englund	Fallert	Fischer 107	Frame	Grill
Harris	Hodges	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Nasheed	Newman	Norr
Oxford	Pace	Quinn	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Schupp
Shively	Skaggs	Spreng	Still	Storch

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Swinger	Talboy	Todd	Vogt	Walsh
Walton Gray	Webb	Webber	Whitehead	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Emery	Flanigan	Holsman	Hoskins 121
Jones 117	Meadows	Nolte		

VACANCIES: 001

Representative Pratt moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Allen	Atkins	Bivins	Burlison	Burnett
Calloway	Carter	Colona	Conway	Curls
Davis	Dieckhaus	Dixon	Dougherty	Dusenberg
Englund	Faith	Flook	Frame	Funderburk
Gatschenberger	Grill	Grisamore	Hughes	Hummel
Jones 63	Jones 89	Kelly	Koenig	Komo
Kratky	Kraus	Lampe	Leara	LeBlanc
LeVota	Liese	Low	McDonald	McNary
McNeil	Meiners	Molendorp	Morris	Norr
Oxford	Parkinson	Pratt	Roorda	Salva
Schaaf	Scharnhorst	Schoeller	Schoemehl	Silvey
Smith 14	Spreng	Stevenson	Still	Stream
Talboy	Tilley	Tracy	Vogt	Webber
Whitehead	Zerr	Zimmerman		

NOES: 088

Aull	Ayres	Biermann	Brandom	Bringer
Brown 30	Brown 50	Brown 149	Bruns	Casey
Chappelle-Nadal	Cooper	Corcoran	Cox	Cunningham
Day	Deeken	Denison	Dethrow	Dugger
Emery	Ervin	Fallert	Fischer 107	Fisher 125
Franz	Guernsey	Guest	Harris	Hobbs
Hodges	Hoskins 80	Hoskins 121	Icet	Jones 117
Kander	Keeney	Kingery	Kirkton	Kuessner
Lair	Largent	Lipke	Loehner	McClanahan
McGhee	Munzlinger	Nance	Nasheed	Newman
Nieves	Pace	Parson	Pollock	Quinn
Riddle	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Schieffer	Schlottach
Schupp	Self	Shively	Skaggs	Smith 150
Storch	Sutherland	Swinger	Thomson	Todd
Viebrock	Wallace	Walton Gray	Wasson	Webb
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Flanigan	Holsman	Meadows	Nolte
Walsh				

VACANCIES: 001

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dougherty	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grisamore
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Parkinson	Parson
Pollock	Pratt	Riddle	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Tilley
Tracy	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wright	Zerr	Mr Speaker

NOES: 064

Atkins	Aull	Biermann	Brown 50	Burnett
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Curls	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Hoskins 80	Hughes	Hummel	Jones 63	Kander
Kelly	Kirkton	Komo	Kratky	Lampe
LeVota	Liese	Low	McClanahan	Meiners
Morris	Newman	Norr	Oxford	Pace
Quinn	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Skaggs
Spreng	Still	Storch	Swinger	Todd
Vogt	Walsh	Walton Gray	Webb	Webber
Whitehead	Witte	Yaeger	Zimmerman	

PRESENT: 000

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ABSENT WITH LEAVE: 013

Bringer	Diehl	Flanigan	Holsman	Kuessner
LeBlanc	McDonald	McNeil	Meadows	Nolte
Scharnhorst	Talboy	Viebrock		

VACANCIES: 001

On motion of Representative Wallace, **HCS SCS SB 815, as amended**, was adopted.

On motion of Representative Wallace, **HCS SCS SB 815, as amended**, was read the third time and passed by the following vote:

AYES: 098

Allen	Aull	Biermann	Bivins	Brandom
Brown 30	Brown 50	Brown 149	Bruns	Calloway
Carter	Colona	Conway	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dougherty	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guest	Hobbs	Hoskins 121	Hughes
Icet	Jones 89	Jones 117	Kingery	Koenig
Kratky	Kraus	Lair	Largent	Leara
Lipke	Loehner	McGhee	McNary	Meiners
Molendorp	Munzlinger	Nance	Nasheed	Nieves
Parkinson	Parson	Pollock	Pratt	Riddle
Rucker	Ruestman	Ruzicka	Sander	Sater
Seavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Self	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Thomson
Tilley	Tracy	Viebrock	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wright
Yaeger	Zerr	Mr Speaker		

NOES: 060

Atkins	Ayres	Bringer	Burlison	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Englund
Fallert	Fischer 107	Frame	Guernsey	Harris
Hodges	Holsman	Hoskins 80	Hummel	Jones 63
Kander	Keeney	Kelly	Kirkton	Komo
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Morris
Newman	Nolte	Norr	Oxford	Pace
Quinn	Roorda	Salva	Schoemehl	Schupp
Shively	Silvey	Skaggs	Spreng	Still
Talboy	Todd	Vogt	Walton Gray	Webb
Webber	Whitehead	Wilson 130	Witte	Zimmerman

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 003

Diehl                      Flanigan                      Meadows

VACANCIES: 001

Speaker Richard declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2058**, entitled:

An act to amend chapter 429, RSMo, by adding thereto one new section relating to mechanic's liens, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3 & HA 4** to **SCS SB 616**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 829, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the **CCR on HCS#2 for SB 844**, and requests the House to grant further conference.

**BILLS CARRYING REQUEST MESSAGES**

**HCS#2 SB 844**, relating to public officials, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House grant the Senate further conference on **HCS#2 SB 844**.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Ayes	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grisamore

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Guernsey	Guest	Hobbs	Hoskins 121	Icet
Jones 89	Jones 117	Keeney	Kingery	Koenig
Kraus	Lair	Largent	Leara	Lipke
Loehner	McGhee	McNary	Molendorp	Munzlinger
Nance	Nasheed	Nieves	Nolte	Parkinson
Parson	Pollock	Pratt	Riddle	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 150	Stream	Sutherland	Thomson	Tilley
Tracy	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wright	Zerr
Mr Speaker				

NOES: 065

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Casey	Chappelle-Nadal	Colona
Conway	Corcoran	Curls	Dougherty	Englund
Fallert	Fischer 107	Frame	Grill	Harris
Hodges	Holsman	Hoskins 80	Hughes	Hummel
Jones 63	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meiners	Morris	Newman	Norr	Oxford
Pace	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Schupp	Skaggs	Still	Storch
Swinger	Talboy	Walsh	Walton Gray	Webb
Webber	Whitehead	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Flanigan	Meadows	Quinn	Salva
Shively	Smith 14	Spreng	Stevenson	Todd
Vogt				

VACANCIES: 001

Representative Jones (89) again moved that the House grant the Senate further conference on **HCS#2 SB 844**.

Which motion was adopted.

**HCS SCS SB 754, as amended**, relating to professional registration, was taken up by Representative Wasson.

Representative Wasson moved that the House grant the Senate further conference on **HCS SCS SB 754, as amended**.

Which motion was adopted.

**SCS SB 616, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4**, relating to community health center volunteers, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4** to **SCS SB 616**, and grant the Senate a conference.

Which motion was adopted.

**HCS SS SB 1007, as amended**, relating to public assistance programs, was taken up by Representative Cooper.

Representative Cooper moved that the House refuse to recede from its position on **HCS SS SB 1007, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SB 808, as amended**, relating to political subdivisions, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS SCS SB 808, as amended**, and grant the Senate a conference, and the conferees be allowed to exceed the differences on **House Amendment No. 4, as amended**.

Which motion was adopted.

Representative Wilson (130) assumed the Chair.

**HCS SCS SB 829, as amended**, relating to the justice system, was taken up by Representative Lipke.

Representative Lipke moved that the House refuse to recede from its position on **HCS SCS SB 829, as amended**, and grant the Senate a conference.

Which motion was adopted.

#### **BILLS IN CONFERENCE**

**CCR SCS HCS HB 1965, as amended**, relating to the repeal of expired statutes, was taken up by Representative McNary.

Representative Self moved the previous question.

1804 *Journal of the House*

Which motion was adopted by the following vote:

AYES: 082

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Dethrow
Dieckhaus	Diehl	Dixon	Dugger	Dusenberg
Emery	Ervin	Faith	Fisher 125	Flook
Franz	Funderburk	Gatschenberger	Grisamore	Guernsey
Guest	Hoskins 121	Icey	Jones 89	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nasheed	Nieves
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Thomson	Tilley	Tracy	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

NOES: 065

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Chappelle-Nadal	Colona
Conway	Curlis	Dougherty	Englund	Fallert
Fischer 107	Frame	Grill	Harris	Hodges
Holsman	Hoskins 80	Hughes	Hummel	Jones 63
Kander	Kelly	Kirkton	Komo	Kratky
Kuessner	Lampe	LeBlanc	LeVota	Liese
Low	McClanahan	McDonald	McNeil	Morris
Newman	Norr	Oxford	Pace	Quinn
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Schupp	Shively	Skaggs	Still	Storch
Swinger	Talboy	Todd	Walsh	Walton Gray
Webb	Webber	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 015

Casey	Corcoran	Denison	Flanigan	Hobbs
Jones 117	Meadows	Meiners	Nolte	Salva
Spreng	Sutherland	Vogt	Wallace	Whitehead

VACANCIES: 001

On motion of Representative McNary, **CCR SCS HCS HB 1965, as amended**, was adopted by the following vote:

AYES: 084

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Day	Deeken	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Franz	Funderburk
Gatschenberger	Grisamore	Guernsey	Guest	Hobbs
Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nasheed	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stream
Sutherland	Thomson	Tilley	Tracy	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wright	Zerr	Mr Speaker	

NOES: 068

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Curls	Davis	Dougherty
Englund	Fallert	Fischer 107	Flook	Frame
Grill	Harris	Hodges	Holsman	Hoskins 80
Hughes	Hummel	Jones 63	Kander	Kelly
Kirkton	Komo	Kratky	Kuessner	Lampe
LeBlanc	LeVota	Low	McClanahan	McDonald
McNeil	Morris	Newman	Norr	Oxford
Pace	Quinn	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Schupp	Shively	Skaggs
Stevenson	Still	Storch	Swinger	Talboy
Todd	Walsh	Walton Gray	Webb	Webber
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 010

Corcoran	Denison	Flanigan	Liese	Meadows
Meiners	Salva	Spreng	Vogt	Whitehead

VACANCIES: 001

1806 *Journal of the House*

On motion of Representative McNary, **CCS SCS HCS HB 1965** was read the third time and passed by the following vote:

AYES: 083

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cox	Cunningham
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dugger	Dusenberg	Emery
Ervin	Faith	Fisher 125	Franz	Funderburk
Gatschenberger	Grisamore	Guernsey	Guest	Hobbs
Hoskins 121	Icet	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kraus	Lair	Largent
Leara	Lipke	McGhee	McNary	Molendorp
Munzlinger	Nance	Nasheed	Nieves	Nolte
Parkinson	Parson	Pollock	Pratt	Riddle
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stream	Sutherland
Thomson	Tilley	Tracy	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright	Zerr	Mr Speaker		

NOES: 066

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Curls	Dougherty	Englund
Fallert	Fischer 107	Flook	Frame	Grill
Harris	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Jones 63	Kander	Kelly	Kirkton
Komo	Kratky	Kuessner	Lampe	LeBlanc
LeVota	Low	McClanahan	McDonald	McNeil
Newman	Norr	Oxford	Pace	Quinn
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Schupp	Shively	Skaggs	Stevenson	Still
Storch	Swinger	Talboy	Todd	Walsh
Walton Gray	Webb	Webber	Witte	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper	Corcoran	Davis	Flanigan	Liese
Loehner	Meadows	Meiners	Morris	Salva
Spreng	Vogt	Whitehead		

VACANCIES: 001

Representative Wilson (130) declared the bill passed.

**CCR SS HCS HBs 1408 & 1514**, relating to interest on income tax overpayments, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **CCR SS HCS HBs 1408 & 1514** was adopted by the following vote:

AYES: 149

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Holsman
Hoskins 80	Hoskins 121	Hughes	Hummel	Icet
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	LeBlanc	LeVota	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
McNeil	Molendorp	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Walsh	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper	Flanigan	Liese	McNary	Meadows
Meiners	Morris	Salva	Spreng	Vogt
Wallace	Whitehead	Mr Speaker		

VACANCIES: 001

On motion of Representative Smith (150), **CCS SS HCS HBs 1408 & 1514** was read the third time and passed by the following vote:

AYES: 147

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeBlanc	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
McNary	McNeil	Molendorp	Munzlinger	Nance
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Tracy	Viebrock	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 30	Cooper	Flanigan	Meadows	Meiners
Morris	Nasheed	Salva	Scharnhorst	Spreng
Talboy	Vogt	Wallace	Weter	Whitehead

VACANCIES: 001

Representative Wilson (130) declared the bill passed.

Representative Sander assumed the Chair.

**CCRSS SCS HB 1442, as amended**, relating to local taxes, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **CCR SS SCS HB 1442, as amended**, was adopted by the following vote:

AYES: 132

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dieckhaus	Diehl	Dixon
Englund	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Guernsey	Guest	Harris	Hodges
Holsman	Hoskins 80	Hoskins 121	Hughes	Hummel
Icet	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Komo
Kratky	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Pace	Parkinson	Parson	Pollock	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Silvey
Skaggs	Smith 14	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr			

NOES: 018

Bringer	Burnett	Dethrow	Dugger	Dusenberg
Emery	Ervin	Grisamore	Koenig	Kraus
Oxford	Pratt	Schaaf	Schupp	Shively
Smith 150	Tracy	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 012

Dougherty	Flanigan	Hobbs	LeBlanc	McNary
Meadows	Salva	Self	Spreng	Vogt
Wallace	Mr Speaker			

VACANCIES: 001

On motion of Representative Jones (89), **CCS SS SCS HB 1442** was read the third time and passed by the following vote:

AYES: 130

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 50	Brown 149	Bruns
Burlison	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Cooper	Corcoran	Cox
Cunningham	Curls	Day	Deeken	Denison
Dieckhaus	Diehl	Dixon	Englund	Faith
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Komo	Kratky	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNeil	Meiners	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Pace	Parkinson
Parson	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Silvey	Smith 14	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Wallace	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Mr Speaker

NOES: 022

Bringer	Brown 30	Burnett	Davis	Dethrow
Dugger	Dusenberg	Emery	Ervin	Grisamore
Koenig	Kraus	Oxford	Pollock	Pratt
Schaaf	Schupp	Shively	Skaggs	Smith 150
Tracy	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Dougherty	Fallert	Flanigan	LeBlanc	McNary
Meadows	Salva	Spreng	Vogt	Walsh

VACANCIES: 001

Representative Sander declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dieckhaus	Diehl	Dixon
Englund	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Guernsey	Guest	Hobbs	Hodges
Holsman	Hoskins 80	Hoskins 121	Hughes	Hummel
Icet	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Komo	Kratky
Kuessner	Lair	Lampe	Largent	Learn
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Pace
Parkinson	Parson	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Seavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Silvey
Skaggs	Smith 14	Still	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Viebrock	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman			

NOES: 018

Burnett	Dethrow	Dugger	Dusenberg	Emery
Ervin	Grisamore	Harris	Jones 63	Koenig
Kraus	Oxford	Pollock	Pratt	Schaaf
Shively	Smith 150	Tracy		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 30	Dougherty	Flanigan	LeBlanc	McNary
Meadows	Salva	Spreng	Stevenson	Vogt
Wallace	Mr Speaker			

VACANCIES: 001

**CCR SCS HCS HB 2297, as amended**, relating to the Kansas City Zoological District, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **CCR SCS HCS HB 2297, as amended**, was adopted by the following vote:

AYES: 130

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cunningham	Curls	Day	Deeken	Denison
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Englund	Faith	Fallert	Fischer 107	Fisher 125
Frame	Franz	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 80	Hoskins 121	Hughes	Hummel
Icet	Jones 63	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Kratky	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Low	McClanahan	McDonald
McGhee	McNeil	Meiners	Molendorp	Morris
Munzlinger	Nasheed	Newman	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson
Pollock	Quinn	Ruestman	Ruzicka	Sander
Scavuzzo	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Walton Gray	Wasson	Webb
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Yaeger	Zerr	Mr Speaker

NOES: 019

Burlison	Cox	Davis	Dethrow	Dusenberg
Emery	Ervin	Flook	Grisamore	Koenig
Komo	Kraus	Nance	Pratt	Rucker
Sater	Schaaf	Schad	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Flanigan	Jones 89	LeBlanc	Loehner
McNary	Meadows	Riddle	Roorda	Salva
Stevenson	Vogt	Wright		

VACANCIES: 001

On motion of Representative Molendorp, **CCS SCS HCS HB 2297** was read the third time and passed by the following vote:

AYES: 126

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Conway	Cooper	Corcoran	Cunningham
Curls	Day	Deeken	Denison	Dieckhaus
Diehl	Dixon	Englund	Faith	Fallert
Fischer 107	Fisher 125	Frame	Franz	Funderburk
Gatschenberger	Grill	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Icey	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kingery	Kirkton
Kratky	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meiners	Molendorp	Morris	Munzlinger	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Quinn
Riddle	Ruestman	Ruzicka	Sander	Scavuzzo
Scharnhorst	Schieffer	Schlottach	Schoeller	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Still	Storch	Stream
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Weter
Whitehead	Wilson 119	Witte	Wright	Yaeger
Zerr				

NOES: 021

Brown 30	Burlison	Cox	Davis	Dethrow
Dugger	Dusenberg	Emery	Ervin	Flook
Grisamore	Koenig	Komo	Kraus	Nance
Pratt	Rucker	Sater	Schaaf	Schad
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 015

Burnett	Dougherty	Flanigan	Kelly	LeBlanc
McNary	Meadows	Roorda	Salva	Schoemehl
Stevenson	Sutherland	Vogt	Wilson 130	Mr Speaker

VACANCIES: 001

Representative Sander declared the bill passed.

Representative Davis assumed the Chair.

**CCR SCS HB 2226, HB 1824, HB 1832 & HB 1990, as amended**, relating to the regulation of certain professions, was taken up by Representative Wasson.

On motion of Representative Wasson, **CCR SCS HB 2226, HB 1824, HB 1832 & HB 1990, as amended**, was adopted by the following vote:

AYES: 148

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Jones 89	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Lipke	Loehner	Low	McClanahan	McDonald
McGhee	McNeil	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Pace	Parkinson	Parson
Pollock	Pratt	Quinn	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Seavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Bruns	Diehl	Flanigan	Hobbs	Hughes
Jones 117	LeBlanc	McNary	Meadows	Riddle
Scharnhorst	Spreng	Vogt		

VACANCIES: 001

On motion of Representative Wasson, **CCS SCS HB 2226, HB 1824, HB 1832 & HB 1990** was read the third time and passed by the following vote:

AYES: 148

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Kander	Keeney	Kelly	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNeil	Meiners	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schoeller	Schoemehl	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Still	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webb	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr		

NOES: 001

Zimmerman

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 012

Cooper	Diehl	Flanigan	Hughes	Jones 117
LeBlanc	McNary	Meadows	Scharnhorst	Spreng
Vogt	Mr Speaker			

VACANCIES: 001

Representative Davis declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HBs 1408 & 1514**, and has taken up and passed **SS HCS HBs 1408 & 1514**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS#2 HBs 1692, 1209, 1405, 1499, 1535 & 1811**, entitled:

An act to repeal sections 193.145, 193.265, 208.010, 214.160, 214.270, 214.276, 214.277, 214.283, 214.290, 214.300, 214.310, 214.320, 214.325, 214.330, 214.335, 214.340, 214.345, 214.360, 214.363, 214.365, 214.367, 214.387, 214.392, 214.400, 214.410, 214.500, 214.504, 214.508, 214.512, 214.516, 214.550, 288.034, 327.031, 327.041, 327.351, 327.411, 339.010, 339.020, 339.030, 339.040, 339.080, 339.110, 339.160, 339.170, 339.503, 339.710, 452.430, 511.580, 537.296, 563.011, 563.031, 571.030, 571.070, 571.104, and 571.107, RSMo, and to enact in lieu thereof eighty-eight new sections relating to real estate, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 96, Section 399.010, Line 28 of said page, by striking the word "shall" and inserting in lieu thereof the following: **"may"**.

### *Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Pages 139-140, Section 511.580, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

### *Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for the House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 137, Section 339.1240, Line 20, by inserting after all of said line the following:

**"429.016. 1. The provisions of this section shall only apply to mechanic's liens asserted against residential real property, other than mechanic's liens for the repair, remodeling, or addition to owner-occupied residential property of four units or less which are governed by section 429.013 and other applicable sections of this chapter.**

**2. As used in this section, the term "residential real property" means any parcel of real estate, improved or unimproved, that is intended to be used or is used for the construction of residential structures and related improvements which support the residential use of the land where such residential structures are intended, upon completion, either to be occupied or sold by the current owner. Such residential structures shall include any residential dwelling of four units or less, whether or not a unit is occupied by an owner and shall also include any structures consisting solely of residential condominiums, townhouses or cooperatives regardless of the number of units. The definition of "residential real estate" shall exclude any mixed use or planned unit developments except to the extent that any residential uses of such developments are, or will be, located on separate, identifiable parcels from the non-residential uses and then only as to those residential uses. Residential real property shall**

also include any streets, sidewalks, utility services, improved common areas, or other facilities which are constructed within the defined residential use structures or located on or within the separate and identifiable parcels identified as for residential use.

3. Any person or entity, hereinafter referred to as claimant, who seeks to retain the right to assert a mechanic's lien against residential real property, hereinafter referred to as property, shall record a notice of rights in the office of the recorder of deeds for the county in which the property is located, not less than five calendar days prior to the intended date of closing stated in a notice of intended sale as contemplated in this section.

4. Notwithstanding subsection 3 of this section, a claimant that is accurately identified in any previously recorded notice of rights recorded as to the property is relieved of its duty to record a notice of rights.

5. If the last day to record the notice of rights falls on a Saturday, Sunday, or legal holiday recognized by the state of Missouri, the notice of rights shall be recorded not later than the next day that the office of the recorder of deeds is open for business.

6. Any claimant that fails to record such notice of rights shall be deemed to waive and forfeit any right to assert a mechanic's lien against such property. Despite any such waiver and forfeiture of mechanic's lien rights, the claimant shall retain all other rights and remedies allowed by law to collect payment for its work, labor, and materials.

7. Notwithstanding any other provision of this section, a notice of rights recorded after the owner's conveyance of the property to a bona fide purchaser for value shall not be effective to preserve the claimant's mechanic's lien rights to the property.

8. The notice of rights shall comply with section 59.310 and be on a form substantially as follows:

#### NOTICE OF RIGHTS

**Date:** The date of the document.

**Owner:** Identify Property owner, as "Grantor" by correct name.

**Claimant:** Identify Claimant, as "Grantee" by correct name, current address, contact persons, and current telephone number.

**Property:** The legal description of the property.

**Person Contracting with Claimant for Work:** Identify person or entity contracting with Claimant by correct name, current address, and current telephone number.

**Persons performing work for or supplying materials to Claimant:** Claimant may, but is not obligated to, identify any persons or entities which have or will be performing work or supplying materials on behalf of Claimant for the Property. Said persons or entities must be identified by correct legal name, address, and current telephone number.

A recorded notice correctly identifies a person or entity so long as the identifying information in the notice is neither deceptively similar to another person or entity reasonably likely to provide labor, materials, supplies, or equipment for the improvement of property nor so deficient in information as to make it unreasonably difficult to identify such person or entity. The form shall be signed by a person authorized to execute the form on behalf of the claimant, and such signature shall be notarized. The name of the person signing the form shall be printed legibly or typed immediately below the signature.

9. The notice of rights shall be recorded by the claimant in the office of the recorder of deeds of the county in which the property is located.

10. The recorder of deeds shall record such notice of rights in the land records and index notice of rights such that owners shall be deemed grantors and claimants shall be deemed grantees, and the grantor's signature shall not be required for recording.

11. (1) If the record title owner of residential real property, hereinafter the owner, has contracted with a claimant for the performance or provision of work, labor, or materials for the improvement of such property in order to facilitate the owner's sale of such property to a bona fide purchaser for value as contemplated in this section, then the owner or such owner's designated agent, shall record a notice of intended sale in the office of the recorder of deeds for the county in which the property is located. The notice of intended sale shall be recorded not less than forty-five calendar days prior to the earliest calendar date the owner intends to close on the sale of such property to such purchaser. The notice of intended sale shall state the calendar date on which the owner intends to close on the sale of such property to such purchaser. Only one notice of intended sale shall be recorded,

even if the intended date of closing stated therein is postponed to a date later than that stated in the notice of intended sale. The owner's, or its designated agent's, recording of a notice of intended sale as to the subject property, as contemplated herein, is a condition precedent to a claimant's obligation to record a notice of rights as to the subject property in order to retain a claimant's mechanics lien rights as to such property.

(2) The owner, or its designated agent, shall post on the subject property, or at an entrance to the subject property, or at any jobsite office located at or near the subject property, a copy of the owner's notice of intended sale.

(3) The owner, or its designated agent, shall provide any claimant with a copy of the notice of intended sale and a copy of a legal description of the subject property, within five calendar days after the date the owner, or its designated agent, receives a written request for the same from any such claimant. The information contemplated herein shall be transmitted by U.S. mail addressed to the claimant's registered agent or principal place of business or transmitted by other commercially reasonable means. A claimant shall, in turn, provide any person or entity with which it has contracted to perform or provide work, labor, or materials for the improvement of the subject property, with written notice in the same form and manner, and containing the same information, as the written notice issued by the owner, all within ten calendar days after the date the claimant receives a written request for the same from any such person or entity.

(4) If any owner, or its designated agent, fails to comply with the requirements of this section, a claimant shall be entitled to receive, as its sole and exclusive remedy for such failure to comply with the section, the claimant's actual and reasonable costs, excluding attorney fees, to obtain a legal description of the subject property necessary for the claimant to record its notice of rights. The costs described in this section shall be lienable expenses. The owner's, or its designated agent's failure to post or mail or transmit the information contemplated in this section, shall not relieve, and is not a condition precedent to, a claimant's obligation to record its notice of right in order to retain claimant's mechanic lien rights as to such property.

(5) The owner, or its designated agent, shall not be liable to any claimant, or other person, for any error, omission, or inaccuracy in the content of the information provided and disclosed by the owner, or its designated agent, except as otherwise expressly provided in this section. If a claimant receives a copy of the notice of intended sale and a legal description of the subject property from the owner, or its designated agent as contemplated in this section and the claimant relies in good faith upon the legal description and includes such legal description in a notice of rights as required in this section, and the claimant's notice of rights otherwise complies with the requirements of this section, then any such claimant's notice of rights shall be deemed to comply with the requirements of this section, and such claimant's right to assert a mechanic's lien as to the subject residential real property shall be retained even if subsequently it is determined that such legal description is in error or inaccurate as to the subject residential real property.

12. The recording of a notice of rights shall not extend the time for filing a mechanic's lien as provided under section 429.080.

13. A separate notice of rights shall be recorded for each lot or parcel of residential real property upon which the claimant performs its work. Nothing herein shall be construed to prohibit the claimant from providing a notice of rights covering multiple lots in the same subdivision if common ownership of lots exists. If the claimant commences its work prior to the platting or subdivision of a tract of land comprising residential real property, the claimant is only required to record one notice of rights provided that the entire tract of land upon which any such lien is to be asserted is described in such notice of rights.

14. The claimant shall not be required to provide the notice required under section 429.100, but compliance with the requirements of this section shall not relieve the claimant of its duty to comply with all other applicable sections of this chapter, except as specifically modified herein, in order to preserve, assert, and enforce its mechanic's lien rights.

15. For purposes of any mechanic's liens against residential real property only, a claimant satisfies the just and true account requirement contained in section 429.080 by providing the following information and documentation as part of its mechanic's lien claim filed with the clerk of the circuit court:

(1) A photocopy of the file-stamped notice of rights and any renewals of notice of rights recorded by or identifying claimant;

(2) The name and address of the person or entity which claimant contracted with to perform work on the property;

(3) A copy of any contract or contracts, purchase order or orders, or proposal or proposals, hereinafter collectively referred to as agreements, and any agreed change orders or modifications to such agreement or agreements under which claimant performed its work on the property;

(4) In the absence of any written agreement or agreements, a general description of the scope of work agreed to be performed by claimant on the property and the basis for payment for such work as agreed to by claimant and the contracting party;

(5) All invoices submitted by claimant for its work on the property;

(6) An accurate statement of account which shows all payments or credits against amounts otherwise due to claimant for the work performed on the property and the calculation or basis for the amount claimed by claimant in its mechanic's lien statement; and

(7) The last date that claimant performed any work or labor upon, or provided any materials or equipment to, the property;

(8) The claimant shall attach a file-stamped copy of his or her notice of rights to claimant's mechanic's lien statement if and when filed with the circuit clerk under section 429.080.

16. To the extent that any error in the information contained in the claimant's notice of rights prejudices the owner, any lender, disbursing company, title insurance company, or subsequent purchaser of the property, the claimant's rights to assert a mechanic's lien shall be forfeited to the extent of the prejudice caused by such error.

17. A person having an interest in any residential real property against which a mechanic's lien has been filed may release such residential real property from any such mechanic's lien by:

(1) Depositing in the office of the circuit clerk a sum of money, in cash or certified check, an irrevocable letter of credit, which may be secured, issued by a federally or state chartered bank, savings and loan association or savings bank, referred to hereafter as a bank, authorized to and doing business in the state of Missouri, or a surety bond issued by a surety company authorized to do surety business in the state of Missouri and having a certificate of authority to do business with the United States government in accordance with 31 CFR Section 223.1, in an amount not less than one hundred fifty percent of the amount of the mechanic's lien being released; and

(2) Recording with the recorder of deeds and filing with the circuit clerk a certificate of deposit signed by the circuit clerk which provides the following information:

(a) Amount of money deposited, amount of the letter of credit deposited, or penal sum of the bond deposited, along with the name and address of the bank issuing the letter of credit or surety company issuing the bond, as well as a service address for the bank or surety company;

(b) Name of claimant, number assigned to the mechanic's lien being released, and the amount of the mechanic's lien being released;

(c) Legal description of the property against which the mechanic's lien was filed;

(d) Name, address, and property interest of the person making the deposit of money, providing the letter of credit or providing the surety bond; and

(e) A certification by the person making the deposit of money, providing the letter of credit, or providing the surety bond that they have mailed a copy of the certificate of deposit to the claimant at the address listed on the mechanic's lien being released, along with a copy of any letter of credit or bond deposited by said person.

18. Any surety bond deposited as substitute collateral shall obligate the surety company, to the extent of the penal sum of the bond, to pay any judgment entered under section 429.210.

19. Any letter of credit deposited as substitute collateral shall obligate the issuing bank, to the extent of the amount of the letter of credit, to pay any judgment entered under section 429.210.

20. Upon release of the residential real property from a mechanic's lien by the deposit of substitute collateral, the claimant's rights are transferred from the residential real property to the substitute collateral.

21. Upon determination of the amount of claimant's claim, if any, against the substitute collateral, the court shall either:

(1) Order the circuit clerk to pay the claimant any sums awarded out of the deposited funds and release any remainder to the person or entity who made the cash deposit;

(2) Order the bank to issue payment under the letter of credit for the awarded amount but not exceeding the amount of the letter of credit;

(3) Render judgment against the surety company on the bond for the amount awarded up to but not exceeding the penal sum of the bond; or

(4) Release the substitute collateral

all as deemed appropriate by the court.

22. The deposit of substitute collateral and release of claimant's mechanic's lien shall not modify any aspect of the priority of claimant's interest, claimant's burden of proving compliance with the mechanic's lien

statutes, or claimant's obligations with respect to enforcement of its mechanic's lien claim, including, but not limited to, time for filing suit to enforce and necessary parties to the suit to enforce. It is the intent only that the deposited substitute collateral shall be the ultimate source of any potential recovery by claimant instead of the funds generated by foreclosure of the residential real property.

23. A release of a mechanic's lien under the deposit of substitute collateral shall not relieve any claimant of potential liability for slander of title or otherwise due to the filing of claimant's mechanic's lien.

24. The surety company for any bond or the bank which issued the letter of credit deposited under this section shall be made a party to any mechanic's lien enforcement action with respect to any mechanic's lien released by the deposit of said bond or letter of credit.

25. Any claimant may waive its right to assert a mechanic's lien against residential real property by executing a partial or full waiver of mechanic's lien rights, whether conditioned upon receipt of payment or unconditional, provided that a waiver of mechanic's lien rights shall not be deemed or interpreted to waive or release mechanic's lien rights in exchange for a payment of less than the amount claimed due at that time unless such mechanic's lien waiver is an unconditional, final mechanic's lien waiver in compliance with this section.

26. An unconditional, final lien waiver is a complete and absolute waiver of any mechanic's lien rights against the residential real property described in the mechanic's lien waiver, including any rights which might otherwise arise from remedial or additional labor, services, or materials provided to the residential real property, or which might benefit the residential real property, under either an initial agreement or a supplemental agreement entered into by the same parties prior to the execution of the unconditional, final mechanic's lien waiver.

27. An unconditional, final mechanic's lien waiver shall only be valid if it is on a form that is substantially as follows:

**UNCONDITIONAL FINAL LIEN WAIVER FOR RESIDENTIAL REAL PROPERTY**

Claimant (provide legal name and address of Claimant) hereby fully, finally, and unconditionally waives and releases any right to assert or enforce a mechanic's lien claim against the residential real property identified below for all work performed by Claimant prior to the date set forth below and for any work hereafter performed by or on behalf of Claimant under any agreements executed by Claimant prior to said date set forth below:

(Provide legal description of the Property)

Claimant's legal name and the name, title or position, address, and telephone number of the person executing the unconditional final lien waiver on behalf of claimant shall be typed or legibly printed immediately above or below the signature, and the date that the document was signed shall be typed or legibly printed immediately adjacent to the signature.

28. A claimant executing an unconditional, final mechanic's lien waiver for less than full consideration shall be bound by such mechanic's lien waiver as it relates to any rights to assert a mechanic's lien against the property, but such mechanic's lien waiver shall not constitute a waiver or release of any other claim, remedy, or cause of action.

29. An unconditional, final mechanic's lien waiver meeting the requirements of this section is valid and enforceable as to claimant's mechanic's lien rights as to the property identified on the unconditional, final mechanic's lien waiver notwithstanding claimant's failure to receive any promised payment or other consideration.

30. Any claimant who has recorded a notice of rights and who has been paid in full for the work performed on the property shall timely execute an unconditional, final mechanic's lien waiver, shall not unreasonably withhold such a waiver when circumstances require prompt execution, and in no event shall fail to provide a waiver any later than five calendar days after claimant's receipt of a written request to do so by any person or entity. A claimant who fails or refuses timely to execute an unconditional, final lien waiver when such claimant has been paid in full for any labor, materials, services, or equipment supplied or used in the improvement to the property shall be presumed liable for slander of title and for any damages sustained as a result thereof, together with a statutory penalty of five hundred dollars.

31. The provisions of this section shall apply to any residential real property conveyance closing on or after November 1, 2010."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 3, Section 193.145, Lines 18-27 of said page, by striking all of said lines.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 2, Section A, Line 15 of said page, by inserting after all of said line the following:

**"60.670. 1. As used in this section, the following terms shall mean:**

**(1) "Cadastral parcel mapping", an accurately delineated identification of all real property parcels. The cadastral map is based upon the USPLSS. For cadastral parcel maps the position of the legal framework is derived from the USPLSS, existing tax maps, and tax database legal descriptions, recorded deeds, recorded surveys, and recorded subdivision plats.**

**(2) "Digital cadastral parcel mapping", encompasses the concepts of automated mapping, graphic display and output, data analysis, and data base management as pertains to cadastral parcel mapping. Digital cadastral parcel mapping systems consist of hardware, software, data, people, organizations, and institutional arrangements for collecting, storing, analyzing, and disseminating information about the location and areas of parcels and the USPLSS;**

**(3) "USPLSS" or "United States public land survey system", a survey executed under the authority of the United States government as recorded on the official plats and field notes of the United States public land survey maintained by the land survey program of the department of natural resources;**

**(4) "Tax map", a document or map for taxation purposes representing the location, dimensions, and other relevant information pertaining to a parcel of land subject to property taxes.**

**2. The office of the state land surveyor established within the department of natural resources shall promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.**

**3. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system shall comply with the rules promulgated under this section, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map have already agreed to the terms of their contract on the effective date of the rules promulgation."; and**

Further amend said bill, Page 90, Section 327.041, Line 22, by inserting after all of said line, the following:

**"327.272. 1. A professional land surveyor shall include any person who practices in Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination with any other word or words including, but not limited to "registered", "professional" or "land" indicating or implying that the person is, or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of **land surveying**, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:**

**(1) The **determination, location, relocation, establishment, reestablishment, layout, or retracing** of land boundaries and positions of the United States Public Land Survey System;**

- (2) Monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;
  - (3) The subdivision of land into smaller tracts;
  - (4) **Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (3) of this subsection;**
  - (5) Consultation, investigation, evaluation, planning, design and execution of surveys;
  - [(5)] (6) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;
  - [(6)] (7) Monumentation of geodetic control and the determination of their horizontal and vertical positions;
  - [(7)] (8) Establishment of state plane coordinates;
  - [(8)] (9) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;
  - [(9)] (10) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;
  - [(10)] (11) Layout of proposed improvements;
  - [(11)] (12) The determination of azimuths by astronomic observations.
2. None of the specific duties listed in subdivisions (4) to [(11)] (12) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights. For the purposes of this section, the term "real property rights" means a recordable interest in real estate as it affects the location of land boundary lines.
  3. Nothing in this section shall be construed to preclude the practice of architecture or professional engineering as provided in sections 327.091 and 327.181.
  4. Nothing in this section shall be construed to prohibit the subdivision of land pursuant to section 137.185, RSMo."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 137, Section 441.645, Line 26 of said page, by inserting after all of said line the following:

- "452.340. 1. In a proceeding for dissolution of marriage, legal separation or child support, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the support of the child, including an award retroactive to the date of filing the petition, without regard to marital misconduct, after considering all relevant factors including:
- (1) The financial needs and resources of the child;
  - (2) The financial resources and needs of the parents;
  - (3) The standard of living the child would have enjoyed had the marriage not been dissolved;
  - (4) The physical and emotional condition of the child, and the child's educational needs;
  - (5) The child's physical and legal custody arrangements, including the amount of time the child spends with each parent and the reasonable expenses associated with the custody or visitation arrangements; and
  - (6) The reasonable work-related child care expenses of each parent.
2. The obligation of the parent ordered to make support payments shall abate, in whole or in part, for such periods of time in excess of thirty consecutive days that the other parent has voluntarily relinquished physical custody of a child to the parent ordered to pay child support, notwithstanding any periods of visitation or temporary physical and legal or physical or legal custody pursuant to a judgment of dissolution or legal separation or any modification thereof. In a IV-D case, the family support division may determine the amount of the abatement pursuant to this subsection for any child support order and shall record the amount of abatement in the automated child support system record established pursuant to chapter 454, RSMo. If the case is not a IV-D case and upon court order, the circuit clerk shall record the amount of abatement in the automated child support system record established in chapter 454, RSMo.
3. Unless the circumstances of the child manifestly dictate otherwise and the court specifically so provides, the obligation of a parent to make child support payments shall terminate when the child:
- (1) Dies;
  - (2) Marries;
  - (3) Enters active duty in the military;

(4) Becomes self-supporting, provided that the custodial parent has relinquished the child from parental control by express or implied consent;

(5) Reaches age eighteen, unless the provisions of subsection 4 or 5 of this section apply; or

(6) Reaches age twenty-one, unless the provisions of the child support order specifically extend the parental support order past the child's twenty-first birthday for reasons provided by subsection 4 of this section.

4. If the child is physically or mentally incapacitated from supporting himself and insolvent and unmarried, the court may extend the parental support obligation past the child's eighteenth birthday.

5. If when a child reaches age eighteen, the child is enrolled in and attending a secondary school program of instruction, the parental support obligation shall continue, if the child continues to attend and progresses toward completion of said program, until the child completes such program or reaches age twenty-one, whichever first occurs. If the child is enrolled in an institution of vocational or higher education not later than October first following graduation from a secondary school or completion of a graduation equivalence degree program and so long as the child enrolls for and completes at least twelve hours of credit each semester, not including the summer semester, at an institution of vocational or higher education and achieves grades sufficient to reenroll at such institution, the parental support obligation shall continue until the child completes his or her education, or until the child reaches the age of twenty-one, whichever first occurs. To remain eligible for such continued parental support, at the beginning of each semester the child shall submit to each parent a transcript or similar official document provided by the institution of vocational or higher education which includes the courses the child is enrolled in and has completed for each term, the grades and credits received for each such course, and an official document from the institution listing the courses which the child is enrolled in for the upcoming term and the number of credits for each such course. When enrolled in at least twelve credit hours, if the child receives failing grades in half or more of his or her courseload in any one semester, payment of child support may be terminated and shall not be eligible for reinstatement. Upon request for notification of the child's grades by the noncustodial parent, the child shall produce the required documents to the noncustodial parent within thirty days of receipt of grades from the education institution. If the child fails to produce the required documents, payment of child support may terminate without the accrual of any child support arrearage and shall not be eligible for reinstatement. If the circumstances of the child manifestly dictate, the court may waive the October first deadline for enrollment required by this subsection. If the child is enrolled in such an institution, the child or parent obligated to pay support may petition the court to amend the order to direct the obligated parent to make the payments directly to the child. As used in this section, an "institution of vocational education" means any postsecondary training or schooling for which the student is assessed a fee and attends classes regularly. "Higher education" means any community college, college, or university at which the child attends classes regularly. A child who has been diagnosed with a developmental disability, as defined in section 630.005, RSMo, or whose physical disability or diagnosed health problem limits the child's ability to carry the number of credit hours prescribed in this subsection, shall remain eligible for child support so long as such child is enrolled in and attending an institution of vocational or higher education, and the child continues to meet the other requirements of this subsection. A child who is employed at least fifteen hours per week during the semester may take as few as nine credit hours per semester and remain eligible for child support so long as all other requirements of this subsection are complied with.

6. The court shall consider ordering a parent to waive the right to claim the tax dependency exemption for a child enrolled in an institution of vocational or higher education in favor of the other parent if the application of state and federal tax laws and eligibility for financial aid will make an award of the exemption to the other parent appropriate.

7. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child except for cases where the court specifically finds that such contact is not in the best interest of the child. In order to effectuate this public policy, a court with jurisdiction shall enforce visitation, custody and child support orders in the same manner. A court with jurisdiction may abate, in whole or in part, any past or future obligation of support and may transfer the physical and legal or physical or legal custody of one or more children if it finds that a parent has, without good cause, failed to provide visitation or physical and legal or physical or legal custody to the other parent pursuant to the terms of a judgment of dissolution, legal separation or modifications thereof. The court shall also award, if requested and for good cause shown, reasonable expenses, attorney's fees and court costs incurred by the prevailing party.

8. The Missouri supreme court shall have in effect a rule establishing guidelines by which any award of child support shall be made in any judicial or administrative proceeding. Said guidelines shall contain specific, descriptive and numeric criteria which will result in a computation of the support obligation. The guidelines shall address how the amount of child support shall be calculated when an award of joint physical custody results in the child or children spending substantially equal time with both parents. The Missouri supreme court shall publish child support guidelines and specifically list and explain the relevant factors and assumptions that were used to calculate the child support

guidelines. Any rule made pursuant to this subsection shall be reviewed by the promulgating body not less than once every four years to ensure that its application results in the determination of appropriate child support award amounts.

9. There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of the guidelines established pursuant to subsection 8 of this section is the correct amount of child support to be awarded. A written finding or specific finding on the record in a judicial or administrative proceeding that the application of the guidelines would be unjust or inappropriate in a particular case, after considering all relevant factors, including the factors set out in subsection 1 of this section, is required if requested by a party and shall be sufficient to rebut the presumption in the case. The written finding or specific finding on the record shall detail the specific relevant factors that required a deviation from the application of the guidelines.

10. Pursuant to this or any other chapter, when a court determines the amount owed by a parent for support provided to a child by another person, other than a parent, prior to the date of filing of a petition requesting support, or when the director of the family support division establishes the amount of state debt due pursuant to subdivision (2) of subsection 1 of section 454.465, RSMo, the court or director shall use the guidelines established pursuant to subsection 8 of this section. The amount of child support resulting from the application of the guidelines shall be applied retroactively for a period prior to the establishment of a support order and the length of the period of retroactivity shall be left to the discretion of the court or director. There shall be a rebuttable presumption that the amount resulting from application of the guidelines under subsection 8 of this section constitutes the amount owed by the parent for the period prior to the date of the filing of the petition for support or the period for which state debt is being established. In applying the guidelines to determine a retroactive support amount, when information as to average monthly income is available, the court or director may use the average monthly income of the noncustodial parent, as averaged over the period of retroactivity, in determining the amount of presumed child support owed for the period of retroactivity. The court or director may enter a different amount in a particular case upon finding, after consideration of all relevant factors, including the factors set out in subsection 1 of this section, that there is sufficient cause to rebut the presumed amount.

11. The obligation of a parent to make child support payments may be terminated as follows:

(1) Provided that the **state case registry** or child support order contains the child's date of birth, the obligation shall be deemed terminated without further judicial or administrative process when the child reaches age twenty-one if the child support order does not specifically require payment of child support beyond age twenty-one for reasons provided by subsection 4 of this section;

(2) The obligation shall be deemed terminated without further judicial or administrative process when the parent receiving child support furnishes a sworn statement or affidavit notifying the obligor parent of the child's emancipation in accordance with the requirements of subsection 4 of section 452.370, and a copy of such sworn statement or affidavit is filed with the court which entered the order establishing the child support obligation, or the **family support division [of child support enforcement] for an order entered under section 454.470;**

(3) The obligation shall be deemed terminated without further judicial or administrative process when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the family support division **for an order entered under section 454.470,** stating that the child is emancipated and reciting the factual basis for such statement; which statement or affidavit is served by the court or division, **as applicable,** on the child support obligee; and which is either acknowledged and affirmed by the child support obligee in writing, or which is not responded to in writing within thirty days of receipt by the child support obligee;

(4) The obligation shall be terminated as provided by this subdivision by the court which entered the order establishing the child support obligation, or the family support division **for an order entered under section 454.470,** when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the family support division, **as applicable,** stating that the child is emancipated and reciting the factual basis for such statement; and which statement or affidavit is served by the court or division, **as applicable,** on the child support obligee. If the obligee denies the statement or affidavit, the court or division shall thereupon treat the sworn statement or affidavit as a [motion to modify the support obligation pursuant to section 452.370 or section 454.496, RSMo,] **request for hearing** and shall proceed to hear and adjudicate such [motion] **request for hearing** as provided by law; provided that the court may require the payment of a deposit as security for court costs and any accrued court costs, as provided by law, in relation to such [motion to modify] **request for hearing. When the division receives a request for hearing, the hearing shall be held in the manner provided by section 454.475.**

12. The court may enter a judgment terminating child support pursuant to subdivisions (1) to (3) of subsection 11 of this section without necessity of a court appearance by either party. The clerk of the court shall mail a copy of a judgment terminating child support entered pursuant to subsection 11 of this section on both the obligor and obligee

parents. The supreme court may promulgate uniform forms for sworn statements and affidavits to terminate orders of child support obligations for use pursuant to subsection 11 of this section and subsection 4 of section 452.370."; and

Further amend said bill, Page 138, Section 452.430, Line 22 of said page, by inserting after all of said line the following:

"454.475. 1. Hearings provided for in this section shall be conducted pursuant to chapter 536, RSMo, by administrative hearing officers designated by the Missouri department of social services. The hearing officer shall provide the parents, the person having custody of the child, or other appropriate agencies or their attorneys with notice of any proceeding in which support obligations may be established or modified. The department shall not be stayed from enforcing and collecting upon the administrative order during the hearing process and during any appeal to the courts of this state, unless specifically enjoined by court order.

2. If no factual issue has been raised by the application for hearing, or the issues raised have been previously litigated or do not constitute a defense to the action, the director may enter an order without an evidentiary hearing, which order shall be a final decision entitled to judicial review as provided in sections 536.100 to 536.140, RSMo.

3. After full and fair hearing, the hearing officer shall make specific findings regarding the liability and responsibility, if any, of the alleged responsible parent for the support of the dependent child, and for repayment of accrued state debt or arrearages, and the costs of collection, and shall enter an order consistent therewith. In making the determination of the amount the parent shall contribute toward the future support of a dependent child, the hearing officer shall [use the scale and formula for minimum support obligations established by the department pursuant to section 454.480] **consider the factors set forth in section 452.340.**

4. If the person who requests the hearing fails to appear at the time and place set for the hearing, upon a showing of proper notice to that parent, the hearing officer shall enter findings and order in accordance with the provisions of the notice and finding of support responsibility unless the hearing officer determines that no good cause therefor exists.

5. In contested cases, the findings and order of the hearing officer shall be the decision of the director. Any parent or person having custody of the child adversely affected by such decision may obtain judicial review pursuant to sections 536.100 to 536.140, RSMo, by filing a petition for review in the circuit court of proper venue within thirty days of mailing of the decision. Copies of the decision or order of the hearing officer shall be mailed to any parent, person having custody of the child and the division within fourteen days of issuance.

6. If a hearing has been requested, and upon request of a parent, a person having custody of the child, the division or a IV-D agency, the director shall enter a temporary order requiring the provision of child support pending the final decision or order pursuant to this section if there is clear and convincing evidence establishing a presumption of paternity pursuant to section 210.822, RSMo. In determining the amount of child support, the director shall consider the factors set forth in section 452.340, RSMo. The temporary order, effective upon filing pursuant to section 454.490, is not subject to a hearing pursuant to this section. The temporary order may be stayed by a court of competent jurisdiction only after a hearing and a finding by the court that the order fails to comply with rule 88.01.

454.517. 1. The director, IV-D agency or the obligee may cause a lien for unpaid and delinquent child or spousal support to be placed upon any workers' compensation benefits payable to an obligor delinquent in child or spousal support payments.

2. No such lien shall be effective unless and until a written notice is filed with the director of the division of workers' compensation. The notice shall contain the name and address of the delinquent obligor, the Social Security number of the obligor, if known, the name of the obligee, and the amount of delinquent child or spousal support.

3. Notice of lien shall not be filed unless the delinquent child or spousal support obligation exceeds one hundred dollars.

4. Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment of workers' compensation benefits to such obligor or to such obligor's attorneys, heirs or legal representative, after receipt of such notice, as defined in subsection 5 of this section, shall be liable to the obligee or, if support has been assigned pursuant to subsection 2 of section 208.040, RSMo, to the state or IV-D agency in an amount equal to the lesser of the workers' compensation benefits paid or delinquent child or spousal support. In such event, the lien may be enforced by a suit at law against any person or persons, firm or firms, corporation or corporations making the workers' compensation benefit payment.

5. Upon the filing of a notice pursuant to this section, the director of the division of workers' compensation shall mail to the obligor and to all attorneys and insurance carriers of record, a copy of the notice. The obligor, attorneys and insurance carriers shall be deemed to have received the notice within five days of the mailing of the notice by the director

of the division of workers' compensation. The lien described in this section shall attach to all workers' compensation benefits which are thereafter payable.

6. **A notice issued by the IV-D agency of this state shall advise the obligor of the procedures to contest the lien under section 454.475 on the grounds that such lien is improper due to a mistake of fact by requesting a hearing within thirty days of the mailing date of the notice. At such a hearing the certified copy of the court order and the sworn or certified statement of arrearages shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert mistake of fact as a defense. For purposes of this section, "mistake of fact" means an error in the amount of the overdue support or an error as to the identity of the obligor. The obligor shall have the burden of proof on such issues.**

7. In cases which are not IV-D cases, to cause a lien pursuant to the provisions of this section the obligee or the obligor's attorney shall file notice of the lien with the lienholder or payor. This notice shall have attached a certified copy of the court order with all modifications and a sworn statement by the obligee or a certified statement from the court attesting to or certifying the amount of arrearages.

454.557. 1. A current support obligation shall not be recorded in the records maintained in the automated child support system in the following cases:

(1) In a IV-D case with a support order pursuant to section 454.465 or 454.470 when the division determines that payments for current support are no longer due and should no longer be made to the payment center. The division shall notify by first class mail the obligor and obligee under the support orders that payments shall no longer be made to the payment center, and any withholding of income shall be terminated unless it is subsequently determined by the division or court having jurisdiction that payments will continue. The division's determination shall terminate the division's support order, but shall not terminate any obligation of support established by court order. The obligor and obligee may contest the decision of the division to terminate the division's support order by requesting a hearing within thirty days of the mailing of the notice provided pursuant to this section. The hearing shall comply with the provisions of section 454.475;

(2) In [a IV-D case] **all cases** with a support order entered by a court when the court that issued the support order terminates such order [and notifies the division]. The division shall also cease enforcing the order if no past support is due; or

(3) In all cases when the [child is twenty-two years of age, unless a court orders support to continue. The obligor or obligee may contest the decision of the division to terminate accruing support orders by requesting a hearing within thirty days of the mailing of notice by the division. The hearing shall comply with the provisions of section 454.475. The issue at the hearing, if any, shall be limited to a mistake of fact as to the age of the child or the existence of a court order requiring support after the age of twenty-two] **obligation of a parent to make child support payments is deemed terminated under subdivisions (1) to (4) of subsection 11 of section 452.340.**

2. Nothing in this section shall affect or terminate the amount due for unpaid past support.

454.1003. 1. A court or the director of the division of child support enforcement may issue an order, or in the case of a business, professional or occupational license, only a court may issue an order, suspending an obligor's license and ordering the obligor to refrain from engaging in a licensed activity in the following cases:

(1) When the obligor is not making child support payments in accordance with a [court] **support** order and owes an arrearage in an amount greater than or equal to three months support payments or two thousand five hundred dollars, whichever is less, as of the date of service of a notice of intent to suspend such license; or

(2) When the obligor or any other person, after receiving appropriate notice, fails to comply with a subpoena of a court or the director concerning actions relating to the establishment of paternity, or to the establishment, modification or enforcement of support orders, or order of the director for genetic testing.

2. In any case but a IV-D case, upon the petition of an obligee alleging the existence of an arrearage, a court with jurisdiction over the support order may issue a notice of intent to suspend a license. In a IV-D case, the director, or a court at the request of the director, may issue a notice of intent to suspend.

3. The notice of intent to suspend a license shall be served on the obligor personally or by certified mail. If the proposed suspension of license is based on the obligor's support arrearage, the notice shall state that the obligor's license shall be suspended sixty days after service unless, within such time, the obligor:

- (1) Pays the entire arrearage stated in the notice;
- (2) Enters into and complies with a payment plan approved by the court or the division; or
- (3) Requests a hearing before the court or the director.

4. In a IV-D case, the notice shall advise the obligor that hearings are subject to the contested case provisions of chapter 536, RSMo.

5. If the proposed suspension of license is based on the alleged failure to comply with a subpoena relating to paternity or a child support proceeding, or order of the director for genetic testing, the notice of intent to suspend shall inform the person that such person's license shall be suspended sixty days after service, unless the person complies with the subpoena or order.

6. If the obligor fails to comply with the terms of repayment agreement, a court or the division may issue a notice of intent to suspend the obligor's license.

7. In addition to the actions to suspend or withhold licenses pursuant to this chapter, a court or the director of the division of child support enforcement may restrict such licenses in accordance with the provisions of this chapter."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 2, Section A, Line 15, by inserting after all of said line the following:

**"67.2800. 1. Sections 67.2800 to 67.2835 shall be known and may be cited as the "Property Assessment Clean Energy Act".**

**2. As used in sections 67.2800 to 67.2835, the following words and terms shall mean:**

**(1) "Assessment contract", a contract entered into between a clean energy development board and a property owner under which the property owner agrees to pay an annual assessment for a period of up to twenty years in exchange for financing of an energy efficiency improvement or a renewable energy improvement;**

**(2) "Authority", the state environmental improvement and energy resources authority established under section 260.010;**

**(3) "Bond", any bond, note, or similar instrument issued by or on behalf of a clean energy development board;**

**(4) "Clean energy conduit financing", the financing of energy efficiency improvements or renewable energy improvements for a single parcel of property or a unified development consisting of multiple adjoining parcels of property under section 67.2825;**

**(5) "Clean energy development board", a board formed by one or more municipalities under section 67.2810;**

**(6) "Energy efficiency improvement", any acquisition, installation, or modification on or of publicly or privately owned property designed to reduce the energy consumption of such property, including but not limited to:**

**(a) Insulation in walls, roofs, attics, floors, foundations, and heating and cooling distribution systems;**  
**(b) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective windows and doors, and other window and door improvements designed to reduce energy consumption;**

**(c) Automatic energy control systems;**

**(d) Heating, ventilating, or air conditioning distribution system modifications and replacements;**

**(e) Caulking and weatherstripping;**

**(f) Replacement or modification of lighting fixtures to increase energy efficiency of the lighting system without increasing the overall illumination of the building unless the increase in illumination is necessary to conform to applicable state or local building codes;**

**(g) Energy recovery systems; and**

**(h) Daylighting systems;**

**(7) "Municipality", any county, city, or incorporated town or village of this state;**

**(8) "Project", any energy efficiency improvement or renewable energy improvement;**

**(9) "Property assessed clean energy local finance fund", a fund that may be established by the authority for the purpose of making loans to clean energy development boards to establish and maintain property assessed clean energy programs;**

**(10) "Property assessed clean energy program", a program established by a clean energy development board to finance energy efficiency improvements or renewable energy improvements under section 67.2820;**

**(11) "Renewable energy improvement", any acquisition and installation of a fixture, product, system, device, or combination thereof on publicly or privately owned property that produces energy from renewable**

resources, including, but not limited to photovoltaic systems, solar thermal systems, wind systems, biomass systems, or geothermal systems.

3. All projects undertaken under sections 67.2800 to 67.2835 are subject to the applicable municipality's ordinances and regulations, including, but not limited to those ordinances and regulations concerning zoning, subdivision, building, fire safety, and historic or architectural review.

67.2805. 1. The authority may, as needed, promulgate administrative rules and regulations relating to the following:

(1) Guidelines and specifications for administering the property assessed clean energy local finance fund; and

(2) Any clarification to the definitions of energy efficiency improvement and renewable energy improvement as the authority may determine is necessary or advisable.

2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

67.2810. 1. One or more municipalities may form clean energy development boards for the purpose of exercising the powers described in sections 67.2800 to 67.2835. Each clean energy development board shall consist of not less than three members, as set forth in the ordinance or order establishing the clean energy development board. Members shall serve terms as set forth in the ordinance or order establishing the clean energy development board and shall be appointed:

(1) If only one municipality is participating in the clean energy development board, by the chief elected officer of the municipality with the consent of the governing body of the municipality; or

(2) If more than one municipality is participating, in a manner agreed to by all participating municipalities.

2. A clean energy development board shall be a political subdivision of the state and shall have all powers necessary and convenient to carry out and effectuate the provisions of sections 67.2800 to 67.2835, including, but not limited to the following:

(1) To adopt, amend, and repeal bylaws, which are not inconsistent with sections 67.2800 to 67.2835;

(2) To adopt an official seal;

(3) To sue and be sued;

(4) To make and enter into contracts and other instruments with public and private entities;

(5) To accept grants, guarantees, and donations of property, labor, services, and other things of value from any public or private source;

(6) To employ or contract for such managerial, legal, technical, clerical, accounting, or other assistance it deems advisable;

(7) To levy and collect special assessments under an assessment contract with a property owner and to record such special assessments as a lien on the property;

(8) To borrow money from any public or private source and issue bonds and provide security for the repayment of the same;

(9) To finance a project under an assessment contract;

(10) To collect reasonable fees and charges in connection with making and servicing assessment contracts and in connection with any technical, consultative, or project assistance services offered;

(11) To invest any funds not required for immediate disbursement in obligations of the state of Missouri or of the United States or any agency or instrumentality thereof, or in bank certificates of deposit; provided, however, the limitations on investments provided in this subdivision shall not apply to proceeds acquired from the sale of bonds which are held by a corporate trustee; and

(12) To take whatever actions necessary to participate in and administer a clean energy conduit financing or a property assessed clean energy program.

3. No later than July first of each year, the clean energy development board shall file with each municipality that participated in the formation of the clean energy development board and with the director of the department of natural resources, an annual report for the preceding calendar year that includes:

(1) A brief description of each project financed by the clean energy development board during the preceding calendar year, which shall include the physical address of the property, the name or names of the property owner, an itemized list of the costs of the project, and the name of any contractors used to complete the project;

(2) The amount of assessments due and the amount collected during the preceding calendar year;

(3) The amount of clean energy development board administrative costs incurred during the preceding calendar year;

(4) The estimated cumulative energy savings resulting from all energy efficiency improvements financed during the preceding calendar year; and

(5) The estimated cumulative energy produced by all renewable energy improvements financed during the preceding calendar year.

4. No lawsuit to set aside the formation of a clean energy development board or to otherwise question the proceedings related thereto shall be brought after the expiration of sixty days from the effective date of the ordinance or order creating the clean energy development board. No lawsuit to set aside the approval of a project, an assessment contract, or a special assessment levied by a clean energy development board, or to otherwise question the proceedings related thereto shall be brought after the expiration of sixty days from the date that the assessment contract is executed.

67.2815. 1. A clean energy development board shall not enter into an assessment contract or levy or collect a special assessment for a project without making a finding that there are sufficient resources to complete the project and that the estimated economic benefit expected from the project during the financing period is equal to or greater than the cost of the project.

2. An assessment contract shall be executed by the clean energy development board and the benefitted property owner or property owners and shall provide:

(1) A description of the project, including the estimated cost of the project and details on how the project will either reduce energy consumption or create energy from renewable sources;

(2) A mechanism for:

(a) Verifying the final costs of the project upon its completion; and

(b) Ensuring that any amounts advanced or otherwise paid by the clean energy development board toward costs of the project will not exceed the final cost of the project;

(3) An acknowledgment by the property owner that the property owner has received or will receive a special benefit by financing a project through the clean energy development board that equals or exceeds the total assessments due under the assessment contract;

(4) An agreement by the property owner to pay annual special assessments for a period not to exceed twenty years, as specified in the assessment contract;

(5) A statement that the obligations set forth in the assessment contract, including the obligation to pay annual special assessments, are a covenant that shall run with the land and be obligations upon future owners of such property; and

(6) An acknowledgment that no subdivision of property subject to the assessment contract shall be valid unless the assessment contract or an amendment thereof divides the total annual special assessment due between the newly subdivided parcels pro rata to the special benefit realized by each subdivided parcel.

3. The total special assessments levied against a property under an assessment contract shall not exceed the sum of the cost of the project, including any required energy audits and inspections, or portion thereof financed through the participation in a property assessed clean energy program or clean energy conduit financing, including the costs of any audits or inspections required by the clean energy development board, plus such administration fees, interest, and other financing costs reasonably required by the clean energy development board.

4. The clean energy development board shall provide a copy of each signed assessment contract to the local county assessor and county collector and shall cause a copy of such assessment contract to be recorded in the real estate records of the county recorder of deeds.

5. Special assessments agreed to under an assessment contract shall be a lien on the property against which it is assessed on behalf of the applicable clean energy development board from the date that each annual assessment under the assessment contract becomes due. Such special assessments shall be collected by the county collector in the same manner and with the same priority as ad valorem real property taxes. Once collected, the county collector shall pay over such special assessment revenues to the clean energy development board in the same manner in which revenues from ad valorem real property taxes are paid to other taxing districts. Such

special assessments shall be collected as provided in this subsection from all subsequent property owners, including the state and all political subdivisions thereof, for the term of the assessment contract.

6. Any clean energy development board that contracts for outside administrative services to provide financing origination for a project shall offer the right of first refusal to enter into such a contract to a federally insured depository institution with a physical presence in Missouri upon the same terms and conditions as would otherwise be approved by the clean energy development board. Such right of first refusal shall not be applicable to the origination of any transaction that involves the issuance of bonds by the clean energy development board.

67.2820. 1. Any clean energy development board may establish a property assessed clean energy program to finance energy efficiency improvements or renewable energy improvements. A property assessed clean energy program shall consist of a program whereby a property owner may apply to a clean energy development board to finance the costs of a project through annual special assessments levied under an assessment contract.

2. A clean energy development board may establish application requirements and criteria for project financing approval as it deems necessary to effectively administer such program and ration available funding among projects, including but not limited to requiring projects to meet certain energy efficiency standards.

3. Clean energy development boards shall ensure that any property owner approved by the board to participate in a property assessed clean energy program or clean energy conduit financing under sections 67.2800 to 67.2835 shall have good credit worthiness or shall otherwise be considered a low risk for failure to meet the obligations of the program or conduit financing.

4. A clean energy development board may require an initial energy audit conducted by a qualified home energy auditor as defined in subdivision (4) of subsection 1 of section 640.153 as a prerequisite to project financing through a property assessed clean energy program as well as inspections to verify project completion.

67.2825. 1. In lieu of financing a project through a property assessed clean energy program, a clean energy development board may seek to finance any number of projects to be installed within a single parcel of property or within a unified development consisting of multiple adjoining parcels of property by participating in a clean energy conduit financing.

2. A clean energy conduit financing shall consist of the issuance of bonds under section 67.2830 payable from the special assessment revenues collected under an assessment contract with the property owner participating in the clean energy conduit financing and any other revenues pledged thereto.

67.2830. 1. A clean energy development board may issue bonds payable from special assessment revenues generated by assessment contracts and any other revenues pledged thereto. The bonds shall be authorized by resolution of the clean energy development board, shall bear such date or dates, and shall mature at such time or times as the resolution shall specify, provided that the term of any bonds issued for a clean energy conduit financing shall not exceed twenty years. The bonds shall be in such denomination, bear interest at such rate, be in such form, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide. Notwithstanding any provision to the contrary under this section, issuance of the bonds shall conform to the requirements of subsection 1 of section 108.170.

2. Any bonds issued under this section shall not constitute an indebtedness of the state or any municipality. Neither the state nor any municipality shall be liable on such bonds, and the form of such bonds shall contain a statement to such effect.

67.2835. The director of the department of economic development is authorized to allocate the state's residual share, or any portion thereof, of the national qualified energy conservation bond limitation under Section 54D of the Internal Revenue Code of 1986, as amended, for any purposes described therein to the authority, any clean energy development board, the state, any political subdivision, instrumentality, or other body corporate and politic."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 143, Section 571.030, Line 28, by striking all of said line from the bill; and

Further amend said bill, and section, Page 144, Line 1, by striking all of said line, and inserting in lieu thereof the following:

"(5) [Possesses or discharges a firearm or projectile weapon while intoxicated] **Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or**".

*Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535 & 1811, Page 138, Section 452.430, Line 22 of said page, by inserting after all of said line the following:

"488.429. 1. Moneys collected pursuant to section 488.426 shall be payable to the judges of the circuit court, en banc, of the county from which such surcharges were collected, or to such person as is designated by local circuit court rule as treasurer of said fund, and said fund may be applied and expended under the direction and order of the judges of the circuit court, en banc, of any such county for the maintenance and upkeep of the law library maintained by the bar association in any such county, or such other law library in any such county as may be designated by the judges of the circuit court, en banc, of any such county; provided, that the judges of the circuit court, en banc, of any such county, and the officers of all courts of record of any such county, shall be entitled at all reasonable times to use the library to the support of which said funds are applied.

2. In addition, such fund may also be applied and expended for that county's or circuit's family services and justice fund.

3. In any county[, other than a county on the nonpartisan court plan,] such fund may also be applied and expended for courtroom renovation and technology enhancement, or for debt service on county bonds for such renovation or enhancement projects."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1965, as amended**, and has taken up and passed **CCS SCS HCS HB 1965**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 754, as amended**: Senators Dempsey, Scott, Pearce, Justus and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 808, as amended**: Senators Callahan, Green, Griesheimer, Dempsey and Crowell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 829, as amended**: Senators Schaefer, Schmitt, Pearce, McKenna and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SB 844**: Senators Shields, Scott, Vogel, Green and McKenna.

### SENATE CONCURRENT RESOLUTION

**SCR 31**, relating to international education, was taken up by Representative Hoskins (121).

Representative Ervin assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

**SCR 31** was laid over.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS SB 616**: Representatives Wasson, Wells, Day, Yaeger and Schoemehl

**HCS SCS SB 808**: Representatives Sutherland, Nolte, Hobbs, Webber and Skaggs

**HCS SCS SB 829**: Representatives Lipke, Hobbs, Keeney, Morris and Kelly

**HCS SS SB 1007**: Representatives Cooper, Sater, Brandom, McClanahan and Jones (63)

Representative Ervin resumed the Chair.

### SENATE CONCURRENT RESOLUTIONS

**SCR 31**, relating to international education, was again taken up by Representative Hoskins (121).

On motion of Representative Hoskins (121), **SCR 31** was adopted by the following vote:

AYES: 137

Allen	Atkins	Aull	Ayres	Bivins
Brandom	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Burnett	Carter	Casey	Chappelle-Nadal
Colona	Conway	Cooper	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest

Harris	Hobbs	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Ice	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Lair	Lampe	Largent	Leara	Liese
Lipke	Loehner	Low	McDonald	McGhee
McNeil	Molendorp	Morris	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Stream	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Walsh	Walton Gray	Wasson	Webb
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 012

Biermann	Bringer	Calloway	Frame	Hodges
Kuessner	LeVota	McClanahan	Newman	Quinn
Skaggs	Still			

PRESENT: 000

ABSENT WITH LEAVE: 013

Corcoran	Diehl	Flanigan	Flook	LeBlanc
McNary	Meadows	Meiners	Salva	Schupp
Spreng	Vogt	Wallace		

VACANCIES: 001

**HCS SCR 55**, relating to fishing and boating, was taken up by Representative Dixon.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Dixon, **HCS SCR 55** was adopted by the following vote:

AYES: 122

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Carter	Casey	Chappelle-Nadal
Colona	Conway	Cooper	Cox	Cunningham
Davis	Day	Deeken	Denison	Dethrow
Dieckhaus	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hobbs	Hodges	Hoskins 121
Hummel	Ice	Jones 89	Jones 117	Keeney
Kingery	Koenig	Komo	Kratky	Kraus

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Kuessner	Lair	Lampe	Largent	Leara
Liese	Lipke	Loehner	McClanahan	McDonald
McGhee	McNeil	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Nolte	Parkinson	Parson
Pollock	Pratt	Riddle	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman			

NOES: 024

Bringer	Burnett	Calloway	Curls	Hoskins 80
Hughes	Jones 63	Kelly	Kirkton	LeVota
Low	Morris	Newman	Norr	Pace
Quinn	Roorda	Schupp	Skaggs	Still
Talboy	Walton Gray	Webb	Whitehead	

PRESENT: 003

Holsman	Oxford	Schoemehl
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ABSENT WITH LEAVE: 013

Corcoran	Diehl	Flanigan	Kander	LeBlanc
McNary	Meadows	Meiners	Salva	Stevenson
Vogt	Webber	Mr Speaker		

VACANCIES: 001

Representative Jones (89) assumed the Chair.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 1316, as amended**, relating to property tax assessment notices, was taken up by Representative Deeken.

On motion of Representative Deeken, **SCS HCS HB 1316, as amended**, was adopted. the following vote:

AYES: 140

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Cox
Cunningham	Curls	Davis	Day	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill

Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 80	Hoskins 121	Hummel	Icet
Jones 63	Jones 89	Jones 117	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webb	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Zerr

NOES: 010

Brown 30	Burlison	Dusenberg	Grisamore	Hughes
Kraus	Pratt	Spreng	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 012

Corcoran	Flanigan	Kander	LeBlanc	McNary
Meadows	Salva	Schupp	Stevenson	Vogt
Webber	Mr Speaker			

VACANCIES: 001

On motion of Representative Deeken, **SCS HCS HB 1316, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 130

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burnett	Calloway	Casey	Chappelle-Nadal
Colona	Conway	Cox	Cunningham	Curls
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Emery
Englund	Faith	Fallert	Fischer 107	Fisher 125
Frame	Franz	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 80	Hoskins 121	Hummel	Icet
Jones 63	Jones 89	Jones 117	Keeney	Kingery
Kirkton	Koenig	Komo	Kratky	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNeil	Meiners	Molendorp
Morris	Nasheed	Newman	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson

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Pollock	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schoeller	Schupp
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webb	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Zerr

NOES: 016

Brown 30	Burlison	Carter	Davis	Dusenberg
Ervin	Flook	Grisamore	Hughes	Kraus
Nance	Pratt	Schad	Spreng	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper	Corcoran	Flanigan	Kander	Kelly
LeBlanc	McNary	Meadows	Munzlinger	Salva
Schlottach	Schoemehl	Stevenson	Vogt	Webber
Mr Speaker				

VACANCIES: 001

Representative Jones (89) declared the bill passed.

**SCS HB 1941, as amended**, relating to a memorial highway, was taken up by Representative Parson.

On motion of Representative Parson, **SCS HB 1941, as amended**, was adopted by the following vote:

AYES: 141

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 80	Hoskins 121	Hummel
Icet	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kuessner	Lair	Lampe
Largent	Leara	Liese	Lipke	Loehner
Low	McDonald	McGhee	Meiners	Molendorp
Morris	Munzlinger	Nance	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson

Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Webb	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr				

NOES: 011

Bringer	Burnett	Hughes	Kraus	LeVota
McClanahan	McNeil	Newman	Skaggs	Spreng
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper	Corcoran	Flanigan	LeBlanc	McNary
Meadows	Nasheed	Salva	Vogt	Mr Speaker

VACANCIES: 001

On motion of Representative Parson, **SCS HB 1941, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 80	Hoskins 121	Hummel
Icet	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kuessner	Lair	Lampe
Largent	Leara	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Thomson

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Tilley	Todd	Tracy	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 119	Witte
Wright	Yaeger	Zerr		

NOES: 009

Bringer	Burnett	Hughes	Kraus	McNeil
Newman	Skaggs	Spreng	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper	Corcoran	Flanigan	LeBlanc	McNary
Meadows	Talboy	Vogt	Wilson 130	Mr Speaker

VACANCIES: 001

Representative Jones (89) declared the bill passed.

**HB 1942, with Senate Amendment No. 1**, relating to a memorial highway, was taken up by Representative Parson.

On motion of Representative Parson, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 149

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 89	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock

Wallace	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	

NOES: 002

Spreng	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper	Corcoran	Flanigan	Jones 117	LeBlanc
McNary	Meadows	Still	Vogt	Walsh
Mr Speaker				

VACANCIES: 001

On motion of Representative Parson, **HB 1942, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 89	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walton Gray	Wasson	Webb
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr

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NOES: 002

Spreng                      Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper	Corcoran	Flanigan	Jones 117	LeBlanc
McNary	Meadows	Vogt	Walsh	Mr Speaker

VACANCIES: 001

Representative Jones (89) declared the bill passed.

**HB 1643, with Senate Amendment No. 1 and Senate Amendment No. 2**, relating to donations to assist the homeless, was taken up by Representative Brown (50).

On motion of Representative Brown (50), the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 134

Allen	Atkins	Aull	Biermann	Bivins
Bringer	Brown 30	Brown 50	Brown 149	Bruns
Burlison	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cox	Cunningham
Curls	Day	Deeken	Denison	Dieckhaus
Diehl	Dixon	Dougherty	Dusenberg	Emery
Englund	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 80	Hoskins 121	Hughes
Hummel	Icey	Jones 89	Kander	Keeney
Kelly	Kingery	Kirkton	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Lipke	Loehner	Low
McDonald	McGhee	McNeil	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Sander
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Viebrock	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	

NOES: 010

Ayres	Davis	Dethrow	Dugger	Ervin
Guernsey	Koenig	Schad	Wallace	Wilson 119

PRESENT: 000

ABSENT WITH LEAVE: 018

Brandom	Cooper	Corcoran	Flanigan	Jones 63
Jones 117	LeBlanc	Liese	McClanahan	McNary
Meadows	Meiners	Salva	Sater	Talboy
Vogt	Walsh	Mr Speaker		

VACANCIES: 001

On motion of Representative Brown (50), **HB 1643, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 133

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Cox
Cunningham	Curls	Day	Deeken	Denison
Dieckhaus	Diehl	Dixon	Dougherty	Dusenberg
Emery	Englund	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Icet	Jones 89	Kander
Keeney	Kelly	Kingery	Kirkton	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	LeVota	Lipke	Loehner
Low	McDonald	McGhee	McNeil	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Oxford	Pace
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Tracy	Viebrock
Walton Gray	Wasson	Webb	Webber	Wells
Weter	Whitehead	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman		

NOES: 010

Ayres	Davis	Dethrow	Dugger	Ervin
Guernsey	Koenig	Schad	Wallace	Wilson 119

PRESENT: 000

ABSENT WITH LEAVE: 019

Cooper	Corcoran	Flanigan	Jones 63	Jones 117
LeBlanc	Liese	McClanahan	McNary	Meadows
Meiners	Salva	Sander	Sater	Spreng
Talboy	Vogt	Walsh	Mr Speaker	

VACANCIES: 001

Representative Jones (89) declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS#2 SCS SB 778**, relating to conveyances of state property, was taken up by Representative McGhee.

Representative McGhee moved that the House refuse to recede from its position on **HCS#2 SCS SB 778** and grant the Senate a conference, and that the conferees be allowed to exceed the differences.

Which motion was withdrawn.

Representative McGhee again moved that the House refuse to recede from its position on **HCS#2 SCS SB 778** and grant the Senate a conference, and that the conferees be allowed to exceed the differences by inserting language regarding access to the Capitol dome key.

Which motion was adopted.

Representative Nieves assumed the Chair.

### **HOUSE BILLS WITH SENATE AMENDMENTS**

**SS SCS HCS#2 HBs 1692, 1209, 1405, 1499, 1535 & 1811, as amended**, relating to the justice system, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to adopt **SS SCS HCS#2 HBs 1692, 1209, 1405, 1499, 1535 & 1811, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SS HB 2290**, relating to eligibility for public assistance, was taken up by Representative Wasson.

On motion of Representative Wasson, **SS HB 2290** was adopted by the following vote:

AYES: 133

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 149	Bruns
Burlison	Burnett	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cox	Cunningham
Curls	Day	Deeken	Denison	Dieckhaus
Diehl	Dixon	Dougherty	Dusenberg	Emery
Englund	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hodges	Holsman	Hoskins 80	Hoskins 121	Hummel
Icet	Jones 63	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Liese	Loehner	McClanahan
McDonald	McGhee	McNeil	Meadows	Molendorp
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Nolte	Norr	Oxford	Pace
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Rucker	Ruestman	Ruzicka	Sander
Seavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Shively	Silvey
Skaggs	Smith 14	Smith 150	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webb	Webber	Wells
Weter	Whitehead	Wilson 119	Witte	Wright
Yaeger	Zerr	Zimmerman		

NOES: 007

Davis	Dethrow	Dugger	Ervin	Sater
Schad	Self			

PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 30	Brown 50	Cooper	Corcoran	Flanigan
Hobbs	Hughes	Jones 89	Jones 117	LeBlanc
Lipke	Low	McNary	Meiners	Roorda
Salva	Spreng	Stevenson	Tilley	Vogt
Wilson 130	Mr Speaker			

VACANCIES: 001

On motion of Representative Wasson, **SS HB 2290** was truly agreed to and finally passed by the following vote:

AYES: 135

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Cooper
Cox	Cunningham	Curls	Day	Deeken
Denison	Dieckhaus	Diehl	Dixon	Dougherty
Dusenberg	Emery	Englund	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icey	Jones 63	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Lipke	Loehner	McClanahan	McDonald	McGhee
McNeil	Meadows	Molendorp	Morris	Munzlinger
Nance	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Rucker	Ruestman
Ruzicka	Sander	Scavuzzo	Schaaf	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Schupp
Shively	Silvey	Skaggs	Smith 14	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Todd	Tracy	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webb	Webber
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Zimmerman

NOES: 008

Davis	Dethrow	Dugger	Ervin	Guernsey
Sater	Schad	Self		

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Corcoran	Flanigan	Hughes	Jones 89
Jones 117	LeBlanc	Low	McNary	Meiners
Nasheed	Roorda	Salva	Smith 150	Spreng
Stevenson	Tilley	Vogt	Mr Speaker	

VACANCIES: 001

Representative Nieves declared the bill passed.

**HCS HB 1977, with Senate Amendment No. 1 and Senate Amendment No. 2**, relating to emergency services, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to concur in **Senate Amendment No. 1** and **Senate Amendment No. 2** to **HCS HB 1977**, and request the Senate to recede from their position and take up and pass **HCS HB 1977**.

Which motion was adopted.

**SS SCS HB 2317, as amended**, relating to conveyances of state property, was taken up by Representative Tracy.

On motion of Representative Tracy, **SS SCS HB 2317, as amended**, was adopted by the following vote:

AYES: 086

Allen	Atkins	Aull	Ayres	Bivins
Brandom	Brown 30	Brown 149	Bruns	Burlison
Calloway	Carter	Conway	Cox	Cunningham
Day	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Dusenberg	Faith	Fischer 107	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Hobbs	Hoskins 121	Icet
Keeney	Kingery	Koenig	Kratky	Kraus
Lair	Largent	Leara	Liese	Lipke
McGhee	Molendorp	Munzlinger	Nance	Nasheed
Nieves	Nolte	Pace	Pratt	Quinn
Riddle	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schlottach	Schoeller
Self	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Tracy	Viebrock	Walsh	Walton Gray
Wasson	Weter	Wilson 130	Witte	Wright
Zerr				

NOES: 061

Biermann	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Colona	Curls	Davis	Deeken
Dethrow	Dugger	Emery	Englund	Ervin
Fallert	Frame	Grisamore	Harris	Hodges
Holsman	Hoskins 80	Hummel	Jones 63	Jones 89
Kander	Kelly	Kirkton	Komo	Kuessner
Lampe	LeVota	Loehner	Low	McClanahan
McDonald	McNeil	Meadows	Morris	Newman
Norr	Oxford	Parson	Pollock	Roorda
Schad	Schieffer	Schoemehl	Schupp	Shively
Silvey	Skaggs	Still	Talboy	Wallace
Webber	Wells	Whitehead	Wilson 119	Yaeger
Zimmerman				

PRESENT: 000

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ABSENT WITH LEAVE: 015

Cooper	Corcoran	Flanigan	Hughes	Jones 117
LeBlanc	McNary	Meiners	Parkinson	Salva
Scharnhorst	Spreng	Vogt	Webb	Mr Speaker

VACANCIES: 001

On motion of Representative Tracy, **SS SCS HB 2317, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 091

Allen	Atkins	Aull	Ayres	Bivins
Brandom	Brown 30	Brown 149	Bruns	Burlison
Calloway	Carter	Conway	Cox	Cunningham
Day	Denison	Dieckhaus	Diehl	Dixon
Dougherty	Dusenberg	Ervin	Faith	Fischer 107
Fisher 125	Flook	Franz	Funderburk	Gatschenberger
Grill	Guernsey	Guest	Hoskins 121	Icet
Keeney	Kelly	Kingery	Koenig	Kratky
Kraus	Lair	Largent	Leara	Liese
Lipke	McGhee	Molendorp	Munzlinger	Nance
Nasheed	Nieves	Pace	Parkinson	Parson
Pratt	Quinn	Riddle	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schlottach	Schoeller	Self	Shively	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Weter	Wilson 119	Wilson 130	Witte	Wright
Zerr				

NOES: 054

Biermann	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Colona	Curls	Davis	Deeken
Dethrow	Dugger	Emery	Englund	Fallert
Frame	Grisamore	Harris	Hodges	Holsman
Hoskins 80	Hughes	Hummel	Jones 63	Jones 89
Kirkton	Komo	Kuessner	Lampe	LeVota
Loehner	Low	McClanahan	McDonald	McNeil
Meadows	Morris	Newman	Norr	Oxford
Pollock	Roorda	Schad	Schieffer	Schoemehl
Schupp	Silvey	Skaggs	Still	Talboy
Wells	Whitehead	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 017

Cooper	Corcoran	Flanigan	Hobbs	Jones 117
Kander	LeBlanc	McNary	Meiners	Nolte
Salva	Scharnhorst	Spreng	Vogt	Webb
Webber	Mr Speaker			

VACANCIES: 001

Representative Nieves declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 059

Allen	Bivins	Brandom	Brown 30	Brown 149
Burlison	Cox	Cunningham	Day	Denison
Dieckhaus	Diehl	Dixon	Dougherty	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Guernsey
Guest	Hoskins 121	Icet	Keeney	Kingery
Lair	Largent	Leara	Lipke	McGhee
Molendorp	Nance	Parkinson	Parson	Riddle
Ruestman	Ruzicka	Sander	Schaaf	Schlottach
Schoeller	Self	Smith 14	Stevenson	Stream
Sutherland	Swinger	Thomson	Tilley	Tracy
Viebrock	Wallace	Wasson	Weter	Wilson 119
Wilson 130	Witte	Wright	Zerr	

NOES: 088

Atkins	Aull	Ayres	Biermann	Bringer
Brown 50	Bruns	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Cooper
Curls	Davis	Deeken	Dethrow	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Frame	Grill	Grisamore
Harris	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Jones 63	Jones 89	Kander	Kelly
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Loehner
Low	McClanahan	McDonald	McNeil	Meadows
Morris	Nasheed	Newman	Nieves	Norr
Oxford	Pace	Pollock	Pratt	Quinn
Roorda	Rucker	Sater	Scavuzzo	Schad
Schieffer	Schoemehl	Schupp	Shively	Silvey
Skaggs	Smith 150	Still	Storch	Talboy
Todd	Walsh	Walton Gray	Webber	Wells
Whitehead	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 015

Corcoran	Flanigan	Hobbs	Jones 117	LeBlanc
McNary	Meiners	Munzlinger	Nolte	Salva
Scharnhorst	Spreng	Vogt	Webb	Mr Speaker

VACANCIES: 001

**SS SCS HCS HBs 1695, 1742 & 1674, as amended**, relating to driving while intoxicated, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **SS SCS HCS HBs 1695, 1742 & 1674, as amended**, was adopted by the following vote:

AYES: 151

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruno	Burnett	Calloway	Carter
Casey	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meadows
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Wallace	Walsh	Walton Gray	Wasson	Webber
Wells	Weter	Whitehead	Wilson 119	Wilson 130
Witte	Wright	Yaeger	Zerr	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Burlison	Chappelle-Nadal	Emery	Flanigan	LeBlanc
McNary	Salva	Spreng	Sutherland	Vogt
Webb				

VACANCIES: 001

On motion of Representative Stevenson, **SS SCS HCS HBs 1695, 1742 & 1674, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hobbs	Hodges	Holsman	Hoskins 80	Hoskins 121
Hughes	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meadows
Meiners	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Nolte	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Wallace	Walsh	Walton Gray	Wasson
Webber	Wells	Weter	Whitehead	Wilson 119
Wilson 130	Witte	Wright	Yaeger	Zerr
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Chappelle-Nadal	Emery	Flanigan	LeBlanc
McNary	Salva	Spreng	Vogt	Webb

VACANCIES: 001

Representative Nieves declared the bill passed.

**SCS HB 1392**, relating to a property tax rate, was taken up by Representative Kirkton.

On motion of Representative Kirkton, **SCS HB 1392** was adopted by the following vote:

AYES: 144

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Carter
Casey	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Denison	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hodges	Holsman	Hoskins 80	Hoskins 121	Hughes
Hummel	Ice	Jones 63	Jones 117	Kander
Keeney	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meadows	Meiners	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Tracy	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	

NOES: 000

PRESENT: 001

Leara

ABSENT WITH LEAVE: 017

Calloway	Chappelle-Nadal	Emery	Flanigan	Hobbs
Jones 89	Kelly	LeBlanc	McNary	Molendorp
Nolte	Salva	Schad	Spreng	Vogt
Webb	Mr Speaker			

VACANCIES: 001

On motion of Representative Kirkton, **SCS HB 1392** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Colona	Conway	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flook	Frame	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hodges	Holsman	Hoskins 80	Hoskins 121
Hummel	Icet	Jones 63	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
McNeil	Meadows	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Still	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Tracy	Viebrock	Wallace	Walsh
Walton Gray	Wasson	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 001

Leara

ABSENT WITH LEAVE: 017

Chappelle-Nadal	Emery	Flanigan	Hobbs	Hughes
Jones 89	LeBlanc	McNary	Meiners	Molendorp
Nolte	Salva	Schad	Spreng	Stevenson
Vogt	Webb			

VACANCIES: 001

Representative Nieves declared the bill passed.

Speaker Richard resumed the Chair.

### RE-APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker re-appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SCS SB 754:** Representatives Wasson, Day, Wells, Dougherty and Webb

**HCS#2 SB 844:** Representatives Jones (89), Tilley, Nieves, Nasheed and Hoskins (80)

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS#2 SCS SB 778:** Representatives McGhee, Jones (117), Largent, Quinn and Todd

Representative Nieves resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1892**, relating to student work certificates, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **SCS HB 1892** was adopted by the following vote:

AYES: 145

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Colona	Conway
Cooper	Corcoran	Cox	Cunningham	Curls
Davis	Day	Deeken	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Franz	Funderburk
Gatschenberger	Grill	Grisamore	Guernsey	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
Liese	Lipke	Loehner	Low	McClanahan
McDonald	McGhee	McNeil	Meadows	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson

Still	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Walsh	Walton Gray	Wasson	Webber
Wells	Weter	Whitehead	Wilson 119	Witte
Wright	Yaeger	Zerr	Zimmerman	Mr Speaker

NOES: 003

Frame	Skaggs	Wallace
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PRESENT: 000

ABSENT WITH LEAVE: 014

Denison	Flanigan	Jones 89	LeBlanc	LeVota
McNary	Meiners	Molendorp	Salva	Schad
Spreng	Vogt	Webb	Wilson 130	

VACANCIES: 001

On motion of Representative Nasheed, **SCS HB 1892** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Calloway	Carter
Casey	Chappelle-Nadal	Colona	Conway	Cooper
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Dethrow	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hodges
Holsman	Hoskins 80	Hoskins 121	Hughes	Hummel
Icet	Jones 63	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meadows	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Tracy	Viebrock
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	



Koenig	Kraus	Lair	Nieves	Pratt
Riddle	Tracy	Walsh	Wilson 119	Wilson 130

PRESENT: 002

Ayres	Low
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ABSENT WITH LEAVE: 018

Denison	Dieckhaus	Emery	Fisher 125	Flanigan
Flook	Jones 89	LeBlanc	McNary	Meiners
Molendorp	Nolte	Scharnhorst	Spreng	Stevenson
Stream	Vogt	Webb		

VACANCIES: 001

On motion of Representative Holsman, **SS HCS HB 1848** was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 50	Bruns	Burnett
Calloway	Carter	Casey	Chappelle-Nadal	Colona
Conway	Cox	Cunningham	Curls	Day
Deeken	Dieckhaus	Diehl	Dixon	Dougherty
Englund	Faith	Fallert	Fischer 107	Fisher 125
Frame	Franz	Funderburk	Gatschenberger	Grill
Guest	Harris	Hodges	Holsman	Hoskins 80
Hoskins 121	Hughes	Hummel	Icet	Jones 63
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Komo	Kratky	Kuessner	Lampe
Leara	LeVota	Liese	Loehner	McClanahan
McDonald	McGhee	McNeil	Meadows	Morris
Munzlinger	Nance	Nasheed	Newman	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Quinn	Roorda	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Wallace	Walton Gray
Wasson	Webber	Weter	Whitehead	Witte
Wright	Yaeger	Zerr	Zimmerman	Mr Speaker

NOES: 026

Brown 30	Brown 149	Burlison	Cooper	Davis
Dethrow	Dugger	Dusenberg	Ervin	Flook
Grisamore	Guernsey	Koenig	Kraus	Lair
Lipke	Nieves	Pratt	Riddle	Schaaf
Schad	Scharnhorst	Walsh	Wells	Wilson 119
Wilson 130				

1856 *Journal of the House*

PRESENT: 002

Ayres                      Low

ABSENT WITH LEAVE: 019

Corcoran	Denison	Emery	Flanigan	Hobbs
Jones 89	Largent	LeBlanc	McNary	Meiners
Molendorp	Nolte	Rucker	Salva	Spreng
Stevenson	Tracy	Vogt	Webb	

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

**SCS HCS HB 1831**, relating to school district property, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **SCS HCS HB 1831** was adopted by the following vote:

AYES: 138

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Corcoran
Cox	Cunningham	Curls	Davis	Day
Deeken	Dethrow	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hodges	Holsman
Hoskins 80	Hoskins 121	Hummel	Ice	Jones 63
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	Low
McClanahan	McDonald	McGhee	McNeil	Meadows
Morris	Munzlinger	Nance	Nasheed	Newman
Nieves	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharmhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Smith 14
Smith 150	Still	Storch	Stream	Sutherland
Swinger	Thomson	Todd	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Wright
Yaeger	Zerr	Zimmerman		

NOES: 006

Bringer	Burnett	Hughes	Skaggs	Talboy
Witte				

PRESENT: 000

ABSENT WITH LEAVE: 018

Denison	Dieckhaus	Emery	Flanigan	Hobbs
Jones 89	LeBlanc	McNary	Meiners	Molendorp
Nolte	Spreng	Stevenson	Tilley	Tracy
Vogt	Webb	Mr Speaker		

VACANCIES: 001

On motion of Representative Jones (117), **SCS HCS HB 1831** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Conway	Cooper	Cox
Curls	Davis	Day	Deeken	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guernsey
Guest	Harris	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 117
Kander	Keeney	Kingery	Kirkton	Koenig
Komo	Kratky	Kuessner	Lair	Lampe
Largent	Leara	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meadows	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Norr	Oxford	Pace
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Smith 14
Smith 150	Still	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Wallace	Walsh	Walton Gray	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Yaeger
Zerr	Zimmerman			

NOES: 006

Bringer	Hughes	LeVota	Skaggs	Talboy
Witte				

1858 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 024

Burnett	Corcoran	Cunningham	Denison	Emery
Flanigan	Hobbs	Jones 89	Kelly	Kraus
LeBlanc	McNary	Meiners	Molendorp	Nolte
Salva	Spreng	Stevenson	Tracy	Vogt
Wasson	Webb	Wright	Mr Speaker	

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

**HCS#2 HB 1472, with Senate Amendment No. 1**, relating to controlled substances, was taken up by Representative Franz.

On motion of Representative Franz, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 138

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Calloway	Carter
Casey	Chappelle-Nadal	Conway	Cox	Cunningham
Curls	Davis	Day	Deeken	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hodges	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Koenig	Komo	Kratky	Kraus
Kuessner	Lair	Lampe	Largent	Leara
LeVota	Liese	Lipke	Loehner	McClanahan
McDonald	McGhee	McNeil	Meadows	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Norr	Pace	Parkinson	Parson	Pollock
Pratt	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Still	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 008

Burnett	Colona	Holsman	Hughes	Low
Oxford	Quinn	Talboy		

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper	Corcoran	Denison	Flanigan	Hobbs
LeBlanc	McNary	Meiners	Molendorp	Nolte
Scharnhorst	Spreng	Stevenson	Tracy	Vogt
Webb				

VACANCIES: 001

On motion of Representative Franz, **HCS#2 HB 1472, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Calloway	Carter
Casey	Chappelle-Nadal	Conway	Cox	Cunningham
Curls	Davis	Day	Deeken	Dethrow
Dieckhaus	Diehl	Dixon	Dougherty	Dugger
Dusenberg	Emery	Englund	Ervin	Faith
Fallert	Fischer 107	Fisher 125	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hodges	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kingery	Kirkton
Koenig	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Lipke	Loehner	McClanahan	McDonald
McGhee	McNeil	Meadows	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Norr	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Seavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Still	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Viebrock	Wallace
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Whitehead	Wilson 119	Wilson 130	Witte
Wright	Yaeger	Zerr	Zimmerman	Mr Speaker

NOES: 007

Burnett	Colona	Holsman	Hughes	Low
Oxford	Talboy			

PRESENT: 000

1860 *Journal of the House*

ABSENT WITH LEAVE: 015

Cooper	Corcoran	Denison	Flanigan	Hobbs
Kelly	LeBlanc	McNary	Meiners	Nolte
Scharnhorst	Spreng	Tracy	Vogt	Webb

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 149	Bruns
Burlison	Casey	Cooper	Cox	Cunningham
Day	Deeken	Dethrow	Dieckhaus	Diehl
Dixon	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hoskins 121	Icet	Jones 117	Kander	Keeney
Kingery	Koenig	Komo	Kraus	Lair
Lampe	Largent	Leara	Liese	Lipke
Loehner	McGhee	Meadows	Molendorp	Munzlinger
Nance	Norr	Parkinson	Pratt	Quinn
Riddle	Roorda	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Viebrock	Wallace	Wasson	Wells
Wilson 119	Wilson 130	Witte	Wright	Zerr
Mr Speaker				

NOES: 049

Atkins	Brown 50	Burnett	Calloway	Carter
Chappelle-Nadal	Colona	Conway	Curls	Davis
Dougherty	Hodges	Holsman	Hoskins 80	Hughes
Hummel	Jones 63	Jones 89	Kelly	Kirkton
Kratky	Kuessner	LeVota	Low	McClanahan
McDonald	McNeil	Morris	Nasheed	Newman
Nieves	Oxford	Pace	Parson	Pollock
Rucker	Sander	Schoemehl	Schupp	Skaggs
Still	Talboy	Walsh	Walton Gray	Webber
Weter	Whitehead	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Corcoran	Denison	Flanigan	Hobbs	LeBlanc
McNary	Meiners	Nolte	Spreng	Tracy
Vogt	Webb			

VACANCIES: 001

**HCS HBs 2262 & 2264, with Senate Amendment No. 1**, relating to the Missouri Youth Challenge Academy, was taken up by Representative Day.

On motion of Representative Day, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 144

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Calloway	Carter
Casey	Chappelle-Nadal	Conway	Cooper	Cox
Cunningham	Curis	Davis	Day	Deeken
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hobbs
Hodges	Holsman	Hoskins 80	Hoskins 121	Hummel
Icet	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Lipke	Loehner	Low	McClanahan	McDonald
McNeil	Meadows	Molendorp	Morris	Munzlinger
Nance	Nasheed	Newman	Nieves	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Still
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Viebrock	Walsh
Walton Gray	Wasson	Webber	Wells	Weter
Whitehead	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 002

Burnett	Skaggs
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PRESENT: 000

1862 *Journal of the House*

ABSENT WITH LEAVE: 016

Colona	Corcoran	Denison	Flanigan	Hughes
LeBlanc	McGhee	McNary	Meiners	Nolte
Spreng	Stevenson	Tracy	Vogt	Wallace
Webb				

VACANCIES: 001

On motion of Representative Day, **HCS HB 2262 & 2264, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 133

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burlison	Carter	Casey	Chappelle-Nadal
Conway	Cox	Cunningham	Curls	Davis
Day	Deeken	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Frame	Funderburk	Gatschenberger	Grill
Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 121	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kingery
Kirkton	Koenig	Komo	Kraus	Kuessner
Lair	Lampe	Largent	Leara	LeVota
Liese	Loehner	Low	McClanahan	McDonald
McNeil	Meadows	Molendorp	Morris	Munzlinger
Nance	Nasheed	Newman	Nieves	Norr
Oxford	Pace	Parkinson	Parson	Pollock
Pratt	Quinn	Riddle	Roorda	Rucker
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Schupp	Self	Shively
Silvey	Smith 14	Smith 150	Still	Storch
Stream	Swinger	Talboy	Thomson	Tilley
Todd	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 003

Burnett	Grisamore	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 026

Brown 30	Calloway	Colona	Cooper	Corcoran
Denison	Flanigan	Flook	Franz	Hoskins 80
Hughes	Kelly	Kratky	LeBlanc	Lipke

McGhee	McNary	Meiners	Nolte	Ruestman
Sprenge	Stevenson	Sutherland	Tracy	Vogt
Webb				

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Conway	Cox	Cunningham	Davis
Day	Deeken	Dethrow	Dieckhaus	Diehl
Dixon	Dougherty	Dugger	Dusenberg	Emery
Englund	Ervin	Fallert	Fischer 107	Fisher 125
Flook	Frame	Franz	Funderburk	Gatschenberger
Grill	Grisamore	Guernsey	Guest	Harris
Hodges	Holsman	Hoskins 80	Hoskins 121	Hummel
Icet	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly	Kingery	Kirkton	Koenig
Komo	Kratky	Kraus	Kuessner	Lair
Lampe	Largent	Leara	LeVota	Liese
Loehner	Low	McClanahan	McDonald	McNeil
Meadows	Molendorp	Morris	Munzlinger	Nance
Nasheed	Newman	Nieves	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Schupp	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	Still	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Wallace	Walsh
Walton Gray	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 002

Burnett	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 022

Brown 30	Colona	Cooper	Corcoran	Curls
Denison	Faith	Flanigan	Hobbs	Hughes
LeBlanc	Lipke	McGhee	McNary	Meiners
Nolte	Ruestman	Sprenge	Tracy	Vogt
Wasson	Webb			

VACANCIES: 001

**SCS HCS HB 1516**, relating to repeal of expired statutes, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SCS HCS HB 1516** was adopted by the following vote:

AYES: 143

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Bringer	Brown 30	Brown 50
Brown 149	Bruns	Burlison	Burnett	Calloway
Carter	Casey	Chappelle-Nadal	Conway	Cooper
Cox	Cunningham	Curls	Davis	Day
Deeken	Dethrow	Dieckhaus	Diehl	Dixon
Dougherty	Dugger	Dusenberg	Emery	Englund
Ervin	Faith	Fallert	Fischer 107	Fisher 125
Flook	Frame	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Harris	Hodges
Holsman	Hoskins 80	Hoskins 121	Hummel	Icet
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	Leara	LeVota	Liese	Lipke
Loehner	Low	McClanahan	McDonald	McGhee
McNeil	Meadows	Molendorp	Morris	Munzlinger
Nance	Nasheed	Newman	Nieves	Nolte
Norr	Oxford	Pace	Parkinson	Parson
Pollock	Pratt	Quinn	Riddle	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sater
Seavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Still	Stream	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Wallace	Walton Gray
Wasson	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 001

Colona

PRESENT: 000

ABSENT WITH LEAVE: 018

Corcoran	Denison	Flanigan	Franz	Hobbs
Hughes	LeBlanc	McNary	Meiners	Sander
Spreng	Stevenson	Storch	Sutherland	Tracy
Vogt	Walsh	Webb		

VACANCIES: 001

On motion of Representative Smith (150), **SCS HCS HB 1516** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Aull	Ayres	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Burnett	Calloway	Carter
Casey	Chappelle-Nadal	Conway	Cooper	Cox
Cunningham	Curls	Davis	Day	Deeken
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fischer 107	Fisher 125	Flook
Frame	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Holsman	Hoskins 80	Hummel	Icet	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeVota	Liese	Lipke	Loehner
Low	McClanahan	McDonald	McGhee	McNeil
Meadows	Molendorp	Morris	Munzlinger	Nance
Newman	Nieves	Nolte	Norr	Oxford
Pace	Parkinson	Parson	Pollock	Pratt
Quinn	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Still	Storch
Stream	Swinger	Talboy	Thomson	Tilley
Todd	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webber	Wells	Weter	Whitehead
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 001

Colona

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Corcoran	Denison	Flanigan	Franz
Hoskins 121	Hughes	LeBlanc	McNary	Meiners
Nasheed	Sander	Schad	Spreng	Sutherland
Tracy	Vogt	Webb		

VACANCIES: 001

Speaker Pro Tem Pratt declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS#2 HBs 1692, 1209, 1405, 1499, 1535 & 1811, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 586 & 617** and has taken up and passed **HCS SS SCS SBs 586 & 617**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS SB 616 with HA 1, HA 2, HA 3 & HA 4**: Senators Goodman, Rupp, Schmitt, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SCS SB 788**: Senators Pearce, Crowell, Griesheimer, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 1007, as amended**: Senators Dempsey, Schmitt, Crowell, Justus and Callahan.

### RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 1534** - Health Care Policy

### COMMITTEE REPORT

**Committee on Rules**, Chairman Parson reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 812, 752 & 909**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### RECESS

On motion of Representative Tilley, the House recessed pending the distribution of conference committee reports or 2:00 a.m., whichever is sooner, and then stand adjourned until 9:15 a.m., Friday, May 14, 2010.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE NO. 2  
FOR  
HOUSE BILL NO. 1268**

The Conference Committee appointed on Senate Substitute No. 2 for House Bill No. 1268, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for House Bill No. 1268, as amended;
2. That the House recede from its position on House Bill No. 1268;
3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for House Bill No. 1268, be Third Read and Finally Passed.

FOR THE HOUSE :

/s/ Kate Meiners  
/s/ Jerry Nolte  
/s/ Sue Allen  
/s/ Anne Zerr

FOR THE SENATE:

/s/ Jolie L. Justus  
/s/ Rita Heard Days  
/s/ David Pearce  
/s/ Brad Lager

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
HOUSE BILL NO. 1543**

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 1543, with Senate Amendment No. 1, Senate Amendment No. 4, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 1543, as amended;
2. That the House recede from its position on House Committee Substitute No. 2 for House Bill No. 1543;

3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 1543, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Maynard Wallace  
/s/ Rodney Schad  
/s/ Rick Stream  
/s/ Sara Lampe  
/s/ Rachel Bringer

FOR THE SENATE:

/s/ David Pearce  
/s/ Charlie Shields  
/s/ Scott Rupp  
/s/ Rita Heard Days  
/s/ Yvonne S. Wilson

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1868**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1868, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, Senate Amendment Nos. 2, 3, 5, 6, 7, 8, 9, Senate Amendment No. 1 to Senate Amendment No. 10, Senate Amendment No. 10, as amended, and Senate Amendment No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1868, as amended;
2. That the House recede from its position on House Bill No. 1868;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1868, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Dwight Scharnhorst  
/s/ Mark Bruns  
/s/ Denny Hoskins  
/s/ Jeff Roorda  
/s/ Hope Whitehead

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Jason Crowell  
/s/ Joan Bray  
/s/ Timothy P. Green

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2070**

The Conference Committee appointed on House Committee Substitute for House Bill No. 2070, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for House Bill No. 2070, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 2070;
3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill No. 2070, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Chris Kelly  
/s/ Mark Bruns  
/s/ Steve Hobbs  
/s/ Jay Wasson  
/s/ Paul Quinn

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ James W. Lembke  
/s/ David Pearce  
/s/ Joan Bray  
/s/ Wes Shoemyer

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 605**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 605, with House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No 4, as amended, House Amendment Nos. 5, 6, 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No 8, as amended, House Amendment No. 1 to House Amendment No. 9, and House Amendment No 9, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 605, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 605;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 605, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robert Mayer  
/s/ Jason Crowell  
/s/ Carl Vogel  
/s/ Wes Shoemyer  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Bryan Stevenson  
/s/ Tim Jones  
/s/ Jason Brown  
/s/ J.C. Kuessner  
/s/ Paul Quinn

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 741**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 741, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 741, as amended;
2. The Senate recede from its position on Senate Bill No. 741;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 741, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer  
/s/ Tom Dempsey  
/s/ David Pearce  
/s/ Wes Shoemyer  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Tony Dugger  
/s/ Jason Smith  
/s/ Bill Deeken  
/s/ Pat Conway  
/s/ Michael Frame

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 754**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 754, with House Amendment Nos 1, 2, 3, 4, 5, 6, 7, 8, and House Substitute Amendment No. 1 for House Amendment No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 754, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 754,;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 754, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Tom Dempsey  
/s/ Delbert Scott  
/s/ David Pearce  
/s/ Jolie Justus  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ David Day  
/s/ Donald Wells  
/s/ Jay Wasson  
/s/ Curt Dougherty  
/s/ Steve Webb

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 778**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 778, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 778;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 778;

3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 778, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce  
/s/ Jason Crowell  
/s/ John Griesheimer  
/s/ Jolie Justus  
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Mike McGhee  
/s/ Kenny Jones  
/s/ Paul Quinn  
/s/ Tom Todd

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 791**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 791, with House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 791, as amended;

2. The Senate recede from its position on Senate Bill No. 791;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 791, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer  
/s/ Brad Lager  
/s/ Tom Dempsey  
/s/ Victor Callahan

FOR THE HOUSE :

/s/ Ed Emery  
/s/ Darrell Pollock  
/s/ Jeanie Riddle  
/s/ Gina Walsh  
/s/ Jake Zimmerman

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 795**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 795, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5, 6, and House Substitute Amendment No. 1 for House Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 795, as amended;
2. The Senate recede from its position on Senate Bill No 795;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 795, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robert Mayer  
/s/ Dan Clemens  
/s/ Frank A. Barnitz  
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Tom Loehner  
/s/ Charlie Schlottach  
/s/ Brian Munzlinger  
/s/ Belinda Harris  
/s/ Tom Shively

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 808**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 808, with House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment Nos. 5, 6, 7, 8, 9, 10, 11, 12, House Amendment No. 1 to House Amendment No. 13, House Amendment No. 13 as amended, House Amendment No. 1 to House Amendment No. 14, House Amendment No. 14 as amended, House Amendment Nos. 15, 16, 17, House Amendment No. 1 to House Amendment No. 18, House Amendment No. 18 as amended, House Amendment Nos. 19, 20, House Substitute Amendment No. 1 to House Amendment No. 21, House Amendment No. 1 to House Amendment No. 22, House Amendment No. 22 as amended, House Amendment Nos. 23, 24, 25, 26, 27, 28, 29,

30, 31, 32 and 33, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 808, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 808;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 808, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Victor Callahan  
/s/ Timothy Green  
/s/ John Griesheimer  
/s/ Tom Dempsey  
/s/ Jason Crowell

FOR THE HOUSE:

/s/ Michael Sutherland  
/s/ Jerry Nolte  
/s/ Steve Hobbs  
/s/ Trent Skaggs

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 829**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 829;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 829, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Eric Schmitt  
/s/ David Pearce  
/s/ Ryan McKenna  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Scott Lipke  
/s/ Steve Hobbs  
/s/ Shelley Keeney  
/s/ James Morris  
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 842, 799 & 809**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 842, 799 & 809, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 4 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment Nos. 3, 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 842, 799 & 809, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 842, 799 & 809;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 842, 799 & 809, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt  
/s/ Jason Crowell  
/s/ Tom Dempsey  
/s/ Victor Callahan  
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Rick Stream  
/s/ David Sater  
/s/ Tim Jones  
/s/ Rebecca McClanahan  
/s/ Tom McDonald

**CONFERENCE COMMITTEE REPORT NO. 3  
ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE BILL NO. 844**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Bill No. 844, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Bill No. 844;
2. The Senate recede from its position on Senate Bill No. 844;
3. That the attached Conference Committee Substitute No. 3 for House Committee Substitute No. 2 for Senate Bill No. 844, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charlie Shields  
/s/ Carl Vogel  
/s/ Timothy Green  
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Tim Jones  
/s/ Steven Tilley  
/s/ Brian Nieves  
/s/ Jamilah Nasheed  
/s/ Theodore Hoskins

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 981**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 981, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment No. 1 to House Amendment No. 8 and House Amendment No. 8 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 981, as amended;
2. The Senate recede from its position on Senate Bill No. 981;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 981, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Victor Callahan  
/s/ Timothy Green  
/s/ John Griesheimer  
/s/ Tom Dempsey  
/s/ Jason Crowell

FOR THE HOUSE:

/s/ Michael Sutherland  
/s/ Steve Hobbs  
/s/ Bob Nance  
/s/ Chris Kelly  
/s/ Sam Komo

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 1007**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 1007, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 1007, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Bill No. 1007;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1007, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Tom Dempsey  
/s/ Eric Schmitt  
/s/ Jason Crowell  
/s/ Jolie Justus  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Wayne Cooper  
/s/ David Sater  
/s/ Ellen Brandom  
/s/ Rebecca McClanahan  
/s/ Tishaura Jones

**ADJOURNMENT**

Pursuant to the motion of Representative Tilley, the House adjourned until 9:15 a.m., Friday, May 14, 2010.

**HOUSE CALENDAR**

SEVENTY-FIRST DAY, FRIDAY, MAY 14, 2010

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HCS HJRs 45, 69 & 70 - Kingery

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1684, as amended, HA 2, pending - Zerr
- 2 HCS HB 2026 - Hobbs
- 3 HB 1254 - Wilson (119)
- 4 HCS HB 2053 - Wallace
- 5 HB 1960 - Ruestman
- 6 HCS#2 HB 1812 - Kingery
- 7 HCS HB 1905 - Wilson (130)
- 8 HB 1945 - Brown (149)
- 9 HB 2250 - Curls
- 10 HCS HB 1238 - Davis
- 11 HCS HB 1383 - Nolte
- 12 HCS HB 1451 - Lipke
- 13 HCS HB 1833 - Munzlinger
- 14 HCS HB 2388 - Wasson
- 15 HB 1647 - Cooper
- 16 HB 1911 - Schad
- 17 HCS HB 2042 - Brown (30)
- 18 HCS HB 2102 - Munzlinger
- 19 HCS HB 2152 - Hobbs
- 20 HCS#2 HB 2225 - Loehner
- 21 HCS HB 1583 - Jones (117)
- 22 HCS HB 1725 - Davis
- 23 HB 2255 - Jones (89)

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 77, (4-21-10, Pages 1036-1037) - Franz

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 63 - Parson

**HOUSE BILLS FOR THIRD READING**

HCS HB 2156 - Molendorp

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 67, (4-29-10, Pages 1179-1182) - Sutherland
- 2 HCR 79, (4-27-10, Pages 1097-1098) - Webb

**SENATE BILLS FOR THIRD READING**

- 1 HCS SB 686, E.C. - Sutherland
- 2 HCS SS SCS SB 920 - Stevenson
- 3 SS SCS SB 793 - Pratt
- 4 HCS SB 894 - Wilson (130)
- 5 SB 900 - Wilson (130)
- 6 HCS SS SB 943, E.C. - Wallace
- 7 SS SCS SB 884, E.C. - Diehl
- 8 HCS SCS SBs 812, 752 & 909 - Dixon

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HB 1336, SA 1 - Brandom
- 2 SCS HCS HB 1903, E.C. - Icet
- 3 SS HB 1713, (Fiscal Review 5-5-10) - Sander
- 4 SCS HCS HB 1858 - Zimmerman
- 5 HCR 38, SCA 1 - Icet
- 6 HB 1894, SA 1, SA 2 - Bringer
- 7 SS HCS HB 2357, as amended - Smith (150)
- 8 SCS HB 1444 - Jones (89)
- 9 SCS HCS HB 1375 - Cooper
- 10 SS#2 HCS HB 1893 - Kelly
- 11 HCR 46, SA 1 - Funderburk
- 12 SCS HB 2285, as amended, E.C. - Thomson
- 13 SS SCS HCS HB 2058 - Diehl

**BILLS CARRYING REQUEST MESSAGES**

HCS HB 1977, SA1, SA2 (request Senate recede/take up and pass bill) - Wasson

**BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 605, as amended, E.C. - Stevenson
- 2 CCR HCS SB 795, as amended, E.C. - Loehner
- 3 CCR SS#2 HB 1268, as amended - Meiners
- 4 SCS HB 1677, E.C. - Hoskins (80)
- 5 HB 1691, SA 1, SA 2 - Kraus
- 6 CCR HCS SCS SBs 842, 799 & 809, as amended, E.C. - Stream
- 7 CCR SCS HB 1868, as amended, E.C. - Scharnhorst
- 8 CCR HCS SB 791, as amended - Emery
- 9 CCR HCS SB 981, as amended - Sutherland

- 10 CCR HCS HB 2070, SA1 - Kelly
- 11 CCR HCS SB 741, as amended - Dugger
- 12 CCR SS#2 SCS HCS#2 HB 1543, as amended, E.C. - Wallace
- 13 CCR#3 HCS#2 SB 844 - Jones (89)
- 14 CCR#2 HCS SCS SB 754, as amended - Wasson
- 15 SCS SB 616, HA 1, HA2, HA 3, HA 4 - Wasson
- 16 CCR HCS SS SB 1007, as amended - Cooper
- 17 CCR HCS SCS SB 808, as amended - Sutherland
- 18 CCR HCS SCS SB 829, as amended, E.C. - Lipke
- 19 CCR HCS#2 SCS SB 778 - McGhee
- 20 SS SCS HCS#2 HB 1692, 1209, 1405, 1499, 1535 & 1811, as amended - Stevenson